**BIRMINGHAM BOMBERS OF 1963** / **BILL CORNWELL**

# THE NATION

SEPTEMBER 4, 1976 *50 cents*

## 'AS FAR AS THEY COULD GO'
## DISSECTING THE G.O.P.
**ALAN BARON**

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**THE LEFT IN FRANCE & ITALY**
***Norman Birnbaum***

**LBJ, RAMPANT & COUCHANT**
***Ronnie Dugger***

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***ERNST PAWEL ON CELINE***

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# EDITORIALS

## Still in the Korean Trap

It would seem that common sense has won the War of the Poplar Tree. There was no shooting in that small engagement on the truce line in Korea and the only two casualties, U. S. Army officers, were more victims of murder, premeditated or not, than of military action. The hard and threatening words from Pyongyang have given way to softer language amounting almost to an apology from Kim Il Sung, "The Ever Victorious Brilliant Commander," as he calls himself, who doubles as dictator of North Korea.

This ugly incident along one of the many borders the United States patrols may serve a useful purpose if it reminds us of the American responsibility for what James Stentzel called our "South Korean Trap" (in a two-part article in this magazine, April 10-24). We might start by considering the tremendous show of force which our government thought necessary as a reaction to the beating to death of the two American officers as they were pruning that offending tree. A few days later, as a picked squad felled the tree, and two more for good measure, B-52 bombers and F-4 and F-111 fighter planes circled overhead. The North Koreans, of course, knew that this demonstration was backed by some 40,000 American troops who symbolically stiffen a South Korean force of nearly 600,000 soldiers, and that hundreds of U.S. tactical nuclear weapons are ready to hand on Korean soil. An American aircraft carrier lay offshore. Altogether it was quite a show.

Whether it was needed or not is another question. The *Mayagüez* incident comes to mind. That, of course, occurred right after the collapse of South Vietnam, and the botched and needless operation could be explained—if not justified—on grounds of *macho* apprehensions in the White House. The exercise at Panmunjom took place in a different atmosphere, where threats and counter-threats by the two dictators of the two halves of Korea are the order of the day. Our man, Park Chung Hee, is a match for his Communist opposite number, Kim, in the language of bloodthirsty warnings. We cannot, of course, control this brutal ally of ours anymore than the Russians can keep a rein on the dictator they installed north of the border back in 1945.

In this country, sensible people have been saying for a long time that we should remove our "presence" from Korea. That country is a tortured relic of the worst days of the cold war, its 50 million people on both sides of the truce line held in the grip of tinhorn totalitarians who depend on global tensions to justify their oppressive regimes. On our side of the border, as Stentzel wrote in these pages, "Anti-communism may be the public policy, but counterrevolution is the policy thrust."

If the United States starts pulling out of Korea, as Governor Carter, among many others, thinks we should, there will be no guarantee that the nasty Park regime will mend its ways. But the American presence there is a kind of sanction for his peculiarly unpleasant form of repression. Militarily, most students of the question believe that South Korea is entirely able to defend itself against the weaker forces of North Korea. The country would remain a cockpit but at least it would be one for the Koreans to deal with, without Americans acting either as hostages or policemen. Then perhaps the dealing would be political rather than military. "The other side," as Dean Rusk used to call it, is not always "world communism." It can be a wretched little dictatorship like Kim's facing an almost equally unappealing one like Park's. The presence of a major power in that pit can only stir up the animals. That might be the lesson of the Poplar War.

## President McCarthy?

The American two-party "system" may indeed be breaking up. Does this mean that it will or should be succeeded by a no-party system? That may sound like a strange question to pose so soon after the confetti has been swept out of the convention halls of New York and Kansas City, and the hats, signs, balloons, buttons and banners have been put away. Yet the question is posed, and answered affirmatively, by Eugene J. McCarthy, the former Democratic Senator from Minnesota who for a while embodied the anti-war movement of 1968 in its Presidential form.

McCarthy is a most unusual, not to say peculiar, figure in the political life of the country this year. He is running as an "independent," with different Vice Presidential running mates in the various states where, by petition, he will be on the ballot in November. He has already qualified in a dozen or more states and expects to make it in a total of forty or forty-five. He proposes to revive the Electoral College in some way that would make it not just a formality but a deciding force in the political process. (As with many of McCarthy's proposals, it is not very clear how that would work.)

He has called the two-party system "an infringement on our political rights." He claims to see only "insignificant" differences between the Republican and Democratic parties and their candidates. The movement (if that is not too vigorous a term) which he heads is called the Committee for a Constitutional Presidency. By that he seems to mean that the framers, in their 18th-century wisdom, did not envisage political parties as proper devices for governing a country where power was exercised by a rather homogeneous gentry which monopolized the franchise.

McCarthy might, in 1976, write the words which John Quincy Adams addressed to Henry Clay in 1829: "I have no wish to fortify myself by the support of any party whatever." (And it would not trouble him to be reminded that John Quincy Adams was perhaps the most unsuccessful politician ever to be sent to the White House, a man so aloof from ordinary concerns that he urged Congress, in considering his thoroughly unpopular proposals, not to be "palsied by the will of our constituents.")

He enlists Jefferson in his anti-party cause even though that great figure (who was ambivalent on the issue of parties) once wrote that "in every free and deliberating society, there must, from the nature of man, be opposite



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parties. . . . Perhaps this party division is necessary to induce each to watch and relate to the people the proceedings of the other." It is perhaps fair to ask McCarthy whether he would like to go all the way back to the method of choosing Presidential electors in 1800 when all but two of the sixteen states had them chosen by the state legislatures, and not by popular vote. The question is fair because so much of McCarthy's case for his candidacy is based on archaisms.

It is hard to tell just what practical effect McCarthy's odd candidacy will have this year. Opinion polls are floating around which supposedly show that he might get from 5 to 10 per cent of the total, which would mean roughly 3 million to 7 million popular votes. Some pundits have darkly speculated that this could deny Carter the victory most expect for him and, even worse, that McCarthy might get enough votes to throw the contest into the House of Representatives (which would choose Carter, of course, but with a clouded mandate to govern). McCarthy himself identifies his constituency as the nonvoters, an ancient and quixotic political ploy.

The effect of McCarthy's venture into the politics of our distant past depends on how the public perceives his candidacy and what it represents. He is, of course, the ultimate "protest" candidate. Not only is he "anti-Washington" but his positions, if they can be so described, are almost anarchic in their extreme anti-governmentism. The national press tends to call him a "liberal" but no definition of that term can be stretched to cover McCarthy and his views. He proposes to "raise a new set of issues which are neither Left nor Right nor liberal nor conservative." That would be quite a trick. Would it be unfair to call McCarthy a "mainstream" nonpolitician? Should we situate him "in the middle of the road"? He would probably resist even that, not liking to be pinned down.

When he was asked on *Meet the Press* recently to say what he would do about the economy, he dismissed as hopeless the idea of antitrust action, for example, and recommended that politicians, instead, should "be talking about . . . proper social direction of the corporations, and the corporations, I think, will respond." He declared that it was "nonsense to suggest that (closing tax loopholes) is a vital issue," and he seemed to be boasting that, in his many years on Congressional finance committees, he had helped to write those loopholes into the tax laws. He called the proposed Humphrey-Hawkins Full Employment Act "80 per cent fraud" because it would only take care of about 1.5 million, or 20 per cent, of the unemployed. And so on—down with the icons.

The truth is that McCarthy is an eccentrically conservative politician posing as a nonpolitician. His stance, or pose, this year will be a sort of "negative" reflection of everything "positive" advanced by the major party candidates. That will have a certain charm for some voters, even if they are not very sure of what a "protest" vote for McCarthy is either for or against.

If his candidacy can be seriously defined, it is an unsystematic protest against the political system of this country. It contains no prescription for a better one, and no precise criticisms of things as they are. Everything should be taken on faith from a candidate for the Presi-

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dency who said, at his high point in 1968, that the first thing he would do as President would be to have the White House fence torn down.

One must wonder whether McCarthy ever considers what his kind of vague, charismatic approach would be like if a candidate who was serious, and had the will and energy to handle this kind of plebiscitary politics, should adopt it and sweep the electorate along in his train. In McCarthy's hands it is a sort of higher demagoguery for the educated and apolitical classes, a sometimes witty turn on the lecture circuit.

Alan Wolfe, writing in this magazine [June 19], made a compelling argument for the likely emergence of a one-party system in this country, built on the ruins of the old parties, which he called "depolitical parties." He wrote that the old functions of transmitting the people's demands upward to the organs of power had fallen by the wayside and that the country was really run by "governing coalitions" which used the parties as "agencies designed to suppress and regulate politics."

Whether or not things have reached quite that stage, this summer's party conventions offer additional evidence for the seriousness of the problem. And whatever the solution to it may turn out to be, if indeed there is one that will guarantee open and healthy political life for this democracy, there is not a hint of it in the frivolous candidacy of Eugene J. McCarthy.

## Happy Funeral, G.O.P.

The phrase "post mortem," applied to the Republican convention, has a peculiar resonance. It seems almost too apt, suggesting an elephantine form stretched out on the marble and ready to be dissected to discover the cause of its demise. And indeed the journalistic morticians have been busy with their scalpels, tubes and pails, gathering evidence for the political coroner.

Of course, the GOP cannot legally be buried until November 3. There are even those, like William F. Buckley Jr., who deny there is a corpse, and who see in Ford's complete surrender to Reagan—on all that could matter—signs of new life and vigor (would he call it a resurrection?). But much of the national press is hard at work, as the President golfs in the Rockies, trying to identify the "causes unknown" in the case.

As the dissection goes on, let us nominate two Happy Pallbearers for the eventual funeral. Our nominees are Nelson Rockefeller and his old friend Henry Kissinger. The Vice President and the Secretary of State should be all smiles, and thus help to make a more cheerful occasion of it, at the last rites of the Republican Party of Gerald R. Ford and Ronald W. Reagan. These two castoffs from the winning "team" have every reason to get some pleasure out of a grim occasion. They served the Republican Party long and faithfully, and their reward was to be kicked in the teeth.

Crocodile tears are all that can decently be shed for these two servitors of Republican reaction, but it might be recalled that, without Rockefeller and his 133 New York votes, all locked up in his safe with the other securities, Ford would not have won the nomination. Yet he manfully delivered those votes to the man who had tossed him to the wolves early in the race. As for Kissinger, let us remember him as the star of the Miami convention that renominated Nixon and Agnew four years ago, bowing and smiling from his box at the grateful herd below, chanting of "détente" and its promise of peace. This time, in Kansas City, his name was barely mentioned, and the Republican platform came close to attacking him personally in the Reagan-written plank that spurned all his policies.

Party unity can carry a high price. Rockefeller and Kissinger paid their full share of it at Kansas City. The appropriate chapters of their memoirs should make good reading for students of politics and human motivation.

## Bribery and Justice

John B. Connally of Texas has made it to the big time of politics and finance through his connections in government. Yet to hear him talk at the recent Republican convention, the government is the enemy of the people. In his speech at Kansas City, the silver-haired ex-Governor and ex-Secretary ringingly declared that the government we live under (meaning the "Democrat" majority in Congress) had "gone amok," and he questioned whether the system described by his great Republican forerunner, Abraham Lincoln, as of, by and for the people was now "any of these things." (Even under President Connally, it would at least be "of.")

Connally, who was a registered Democrat in 1974, is the fastest forgetter in the business. In just two years the man was so moved by the plight of Richard Nixon in the summer of Watergate that he rallied to his cause and partly managed to forget the name of the party in which he had earlier prospered. Among the Republican orators he succeeded in putting the most pejorative spin on the phrase "the Democrat Party" of any of its partisan attackers (just why the removal of the adjectival suffix "-ic" is so satisfying to the members of the "Republic" Party remains mysterious).

The name of this rich steward of the corporate interests faded a bit after Kansas City when he was not picked as Gerald Ford's low-road running mate, an honor that went to Senator Dole instead. But it was quickly back in the news when a little matter of bribery surfaced with the sentencing of Jake Jacobsen. It will be recalled that Jacobsen, a lobbyist for the milk producers, among others, and at one time a lawyer in the White House for Connally's old mentor, Lyndon B. Johnson, was indicted for his part in having the federal government raise milk support prices during the Nixon administration. That was worth a bundle to Jacobsen's clients, the Associated Milk Producers, Inc.

Specifically, Jacobsen was charged with bribing John B. Connally, then Secretary of the Treasury, with a paltry $10,000 in order to procure his recommendation that milk support prices be raised. Jacobsen pleaded guilty to that charge. At the time he made that plea he was facing another charge, that he had swindled a Texas savings and loan association out of $825,000. The federal prosecutors dropped the Texas case in exchange for Ja-



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cobsen's guilty plea in the Connally case, in which he was the key witness. This deal with the prosecutors was the basis of Connally's defense and of his acquittal last year in his trial for bribery. The jury, apparently dazzled by the parade of prominent character witnesses in Connally's behalf, and unable to take the word of Jacobsen, the beneficiary of that agreement to drop the Texas bank indictment, let Connally go free.

Now Jacobsen has been convicted of bribing John B. Connally, who was found not guilty of accepting that bribe. Laymen often have a hard time with legal logic, and this is a prime example of it. The Jacobsen-Connally case is a particularly puzzling one because the judge who sentenced Jacobsen on August 20 went out of his way to castigate Jacobsen (now a bankrupt with a sick wife—hence a sentence of only two years' probation). The judge said Jacobsen "richly deserved" to serve time in jail for the admitted crime of bribing Connally who, on the other hand, is innocent of taking that money. (It was always hard to understand why the high-rolling Connally would have risked so much for what he must have regarded as chicken feed.)

Here ends this tale of "white-collar crime," except for a brief reflection on equality under the law. One must wonder, in view of the light sentence to Jacobsen for bribing the Secretary of the Treasury (who was not bribed), how many John Smiths and Does who are found guilty of similar crimes get the same merciful treatment from the bench. So many of the Watergate cases ended with judges handing down light sentences accompanied by pieties on how the disgrace was almost punishment enough. (Remember former Atty. Gen. Richard Kleindienst?)

The high and the mighty seem too often to be let down easily, while ordinary people take the hard falls in our courts, and that is no way to advertise that justice still has eyes that are blind to person, place and privilege. Naturally, John B. Connally would agree with that.

# The Birmingham Bombers, 1963-1976

**BILL CORNWELL**

Thirteen years ago next month, on September 15, 1963, an explosion triggered by fifteen sticks of dynamite ripped through the 16th Street Baptist Church in Birmingham, Ala. The blast opened gaping holes in the brown sandstone building that had become a rallying point for blacks during the drive to desegregate the city's schools. About 200 people had crowded into the church that Sunday, and within minutes of the explosion angry, bleeding and confused blacks poured out of the sanctuary. Twenty persons were injured. In the church's basement, the bodies of four black girls (three were 14 years old and one was 11) were found buried under debris. The girls had just heard a Sunday School lesson on "The Love That Forgives" and were changing into their choir robes when the bomb went off. So ferocious was the explosion that one of the victims was decapitated. Another had an apple-size hole gouged into the back of her head. It was probably the most vicious crime of the civil rights era in the South.

And it remains unsolved.

Paradoxically, the public has been told again and again that a solution to the case is at hand. "State investigators," Gov. George Wallace boasted just two weeks after the bombing, "expect to break the Birmingham church case within the next few hours." In 1964, a high FBI official promised that "we'll solve this case if it takes ten years." Two years later, *Reader's Digest,* in an extremely flattering article on the FBI, reported: "They [FBI agents] have put the finger on those responsible for the bombing of a Birmingham Negro church in which four small girls were killed. Director Hoover ordered them to keep building the case until it is so strong that no jury in the land could refuse to convict. So, ever since, wherever the killers have gone, agents have haunted them, watching for chances to add more evidence against them." Thus, Alabama's present Atty. Gen. Bill Baxley sounded vaguely like a broken record last February when he stated that he knows the names of the "fiends" responsible for the bombing and added, "some people in Jefferson County [in which Birmingham is located] ought to be pretty nervous right now."

But wading through the hyperbole and empty promises, one gains a very different impression. The facts are: no one has ever been arrested or tried for the bombing, not a shred of evidence has ever been presented to a grand jury about the bombing and, despite a recent flurry of publicity about a new investigation, the solution to the case is apparently no nearer today than it was thirteen years ago. Attempts to solve it have been hamstrung by incompetence, indifference and petty feuds among politicians (notably George Wallace) and law-enforcement officials. The bickering continues to this day. It is, as one police officer who has followed the case says, "a sorry damn story."

The bumbling and stumbling began almost as soon as the smoke around the church had cleared. The FBI rushed twenty-five bomb experts and agents to the scene, and a Justice Department spokesman vowed the investigation

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would be "the most intense since the hunt for John Dillinger." As the agents picked through the rubble in Birmingham, George Wallace fumed and fidgeted in Montgomery. For months, the Governor had been whipping the rednecks into a frenzy with increasingly rabid statements about school integration, and now he was reaping what he had sown. Roy Wilkins, executive secretary of the NAACP, called the atrocity a "deliberate mass murder" encouraged by the Governor. "Wallace is as guilty as if he himself planted the bomb," said John P. Roche of the Americans for Democratic Action. "The blood of four little children is on your hands," Dr. Martin Luther King Jr. bluntly informed Wallace in a telegram.

Even a dedicated rabble-rouser like Wallace was quick to realize that this sort of publicity was not likely to enhance his image as he prepared his first campaign for the Presidency. Something had to be done—and fast. If there was blood on his hands, by God, he wanted it washed off before the New Hampshire primary.

Wallace quickly decided that his state police were not to cooperate with other law-enforcement groups working on the case. He didn't want the FBI to solve it, thereby allowing J. Edgar Hoover and the Kennedys to get all the credit for cleaning up a mess in Wallace's own back yard. "The killing of those children was a horrible act that shocked the nation," recalls Burke Marshall, who at that time headed the Civil Rights Division of the Justice Department. "I don't know if the Governor reacted that way; he may have looked at it as a political problem. There was absolutely no communication between Governor Wallace and the federal government."

Wallace entrusted the state's investigation to the head of the Department of Public Safety, the late Col. Albert J. Lingo, a rough-and-tumble south Alabaman who became something of a state hero a couple of years later for ordering the clubbing and tear-gassing of civil rights marchers in Selma. It mattered not to Wallace that Lingo was an outspoken supporter of the Ku Klux Klan and that the prime suspects were Klansmen. It mattered not to Wallace that Lingo, president of a door manufacturing firm before his appointment as the state's top policeman, knew next to nothing about investigative techniques or law enforcement. None of this mattered to Wallace. He just wanted something done fast.

So while the FBI was conducting a methodical, painstaking investigation, Alabama's state troopers ("They acted more like storm troopers," says Burke Marshall) were slinking around town pursuing the strangest "clues." Typical of Lingo's tactics was the photographing of virtually every white person who attended the funerals of the four murdered black girls. According to a high-ranking state official who is familiar with the case, Lingo's men spent "about 80 per cent of their time trying to prove it was blacks who bombed the church." Much to the chagrin of Wallace, nothing was found to substantiate that theory. When the troopers weren't trying to pin the rap on the blacks, they wallowed in confusion. "Nobody knew what was going on," a retired state investigator admitted recently. "All we knew was that Wallace and Lingo wanted something done, whether it was right or not."

Eventually, the state did do something, and, predictably, it was the wrong thing. Two weeks after the bombing, Lingo, having consulted Wallace, ordered the arrest of three Ku Klux Klansmen on "open charges." Two of the men were considered prime suspects by the FBI and were under constant surveillance by agents when the state stepped in. The FBI was holding off on arrests, hoping to build a strong case against a number of Klansmen suspected of taking part in the crime.

As expected, Wallace milked the situation for all the publicity possible. He cut short a trip to Florida and dramatically returned to Montgomery in the middle of the night to announce the news and to claim the case had been solved. While Wallace hammed it up for reporters, FBI agents complained bitterly that the state had all but ruined their investigation. By arresting the suspects prematurely, Wallace and Lingo had alerted the bombers that federal investigators were closing in but still lacked enough hard evidence to make any charges stick. The arrests made it easier for the killers to cover their tracks. The whole episode was so transparently stupid that Lingo's second in command, Maj. Bill Jones, had tried to dissuade his boss from arresting the men. Jones had pleaded with the Colonel, saying the arrests could only damage the FBI's chances of solving the case. Lingo was not impressed. "I don't know who their suspects are," he said later of the FBI, "and I don't care." Wallace seemed none too disturbed either that the case might have been botched for good. His reaction was, "We certainly beat the Kennedy crowd to the punch!"

Why the state made the arrests is still a matter of conjecture, but a former FBI operative who infiltrated the Klan in Birmingham in the 1960s suggests a sinister motive. In his recently published book, *My Undercover Years With the Ku Klux Klan*, Gary Thomas Rowe Jr. says he was present when a "secret meeting" was arranged between Klan officials and Alabama state troopers. It was called, Rowe claims, because "the FBI was about to arrest three Klansmen in connection with a bombing." To prevent this embarrassment to the Klan, Rowe says, state officers "agreed to pick them up first on minor charges."

The three Klansmen were ultimately charged with possession of dynamite, which *Time* noted was "a misdemeanor about as common in Birmingham as jaywalking in many a U.S. city." The state's evidence was so flimsy even for these piddling charges that two of the cases were thrown out of court and the third ended with an acquittal in a jury trial.

For the past few years the bombing has been little more than a touchy problem for the Birmingham Chamber of Commerce. No one, it seems, has had much to say about the incident—it's bad for business. The federal statute of limitations on almost all of the crimes connected with the case has expired, leaving the only hope for arrests with the state and the Birmingham Police Department. State officials have exhibited little interest in the matter, and no one expects action from the Birmingham police, who have yet to solve even one of the city's thirty or so racially motivated bombings since World War II.

Therefore, a great many people were taken by surprise last February when it was learned that state Attorney General Baxley was conducting a new investigation. The surprise was accompanied by optimism, since Baxley is not at all the kind of Attorney General Alabamans cus-



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tomarily elect. Bright, energetic, outspoken, and most of all ambitious, the 35-year-old Baxley is the state's hottest political property since George Wallace, whom he hopes to succeed as Governor in two years. Unlike Wallace, Baxley is a moderate (a liberal by Alabama standards) and sometimes refreshingly candid. Now serving his second term, Baxley seemingly can do no wrong as far as the voters are concerned. Even the Baptists appear willing to forgive the drawling, rosy-cheeked Attorney General for winning $32,000 in a single night at the blackjack tables of Las Vegas. More important, Baxley has won a reputation as a dogged prosecutor. If anyone can crack the case, most Alabamans thought, it is Baxley.

He began looking into the bombing shortly after taking office in 1971. Routinely (and without publicity) Baxley requested information on the case from the FBI. Four years later, the FBI got around to acting on the request. It might never have come across with any information had it not been for inquiries from a reporter in Washington who had heard of the delay. When the prospect of bad publicity appeared on the horizon the bureaucratic wheels at the Justice Department and the FBI began to roll.

The four-year delay was damaging, if not fatal, to Baxley's investigation. His men were forced to postpone the questioning of key suspects until it could be determined what they had earlier told the FBI. In one particularly crippling instance, Baxley's office was denied vital information and lie detector test results on the man authorities believe made the bomb. While the FBI sat on its information, the man died.

There has been no official explanation for the bureau's peculiar behavior. Director Clarence Kelley would not allow me to interview any of his agents on the bombing. In refusing the interview request, he wrote: "I am sure you will agree that it would be improper for the FBI to take any action which might jeopardize the prosecution of any criminal offender. . . . Thus, any public disclosure which we might make could seriously jeopardize—in fact, it could prevent—the eventual achievement of justice in this case." One can only wonder how Kelley and his subordinates reconcile the withholding of evidence and other information with their desire for "the eventual achievement of justice in this case."

Baxley refuses to talk about his problems with the FBI, claiming that he doesn't want to "antagonize" anyone. But one official involved in the investigation offers this explanation of the FBI's conduct: "They still don't really trust Alabama officials. They remember all too well what happened back in 1963. For some reason, they don't seem to realize that different people are involved. Also, there is still a lot of jealousy. You know, the kind of attitude that seems to say: 'We couldn't solve it, so you can't either.' Then, I guess, there is just the nature of the bureaucracy. Sometimes even important things move slow as hell."

Although some information has been released by the bureau, problems apparently still exist. Baxley and Birmingham Mayor David Vann recently sent a joint letter to Director Kelley imploring him to order full FBI cooperation. At one point, Baxley was said to have become so frustrated with the FBI's foot-dragging that he considered flying to Washington with the father of one of the slain girls and laying the whole story out in a news conference. It would seem that he has now settled on a more restrained approach.

Baxley himself has not escaped controversy for the manner in which the investigation has been handled. Some critics—and these include law-enforcement officers—contend that given a choice between campaigning for governor or poring over evidence on the church bombing, Baxley will choose the former. They doubt that Baxley has the stomach for the protracted and tedious work an investigation of this sort requires. As proof, they point to the very solid reports that the investigation has ground to a halt. "Listen, I'd give up the rest of my term and my entire political future just to solve this case," Baxley retorts.

Even more unsettling, perhaps, is the Attorney General's cozy relationship with George Wallace. The crippled Governor is sending out all manner of not so subtle hints that he wouldn't mind one bit having Baxley succeed him. Ideologically, the two men are miles apart, but Baxley may be the only man with enough political momentum to harpoon Lt. Gov. Jere Beasley, a Wallace critic and gubernatorial aspirant. Wallace, of course, can open more doors for Baxley than anyone else, so no one need expect the Attorney General to explain how George screwed it all up in 1963. Instead, Baxley likes to paint the press as the villain. "If it hadn't been for all this publicity, I'd probably have solved this thing by now. Everybody knows we are coming after them now and they're ready for us." But what about Wallace? Didn't he and his buddy Al Lingo really blow the whole thing? Questions like that tend to turn Baxley's rosy cheeks crimson. "A goddamn article in *The Nation* isn't worth this shit." That's about as specific as he will get.

As the unsolved case drags into its fourteenth year, Baxley and others sound the same old refrains. "I'm confident we're making progress," the Attorney General told *The New York Times* in March. Mayor Vann has joined the chorus, saying he, too, "is confident" that something will come of this investigation. "This case can be solved," he says reassuringly. Perhaps it can, but after thirteen years hasn't the public the right to know why so little progress has been made? Shouldn't those who have helped to frustrate and to delay the course of justice be held accountable? Why did the state disrupt the FBI's investigation in 1963? Why has the FBI refused to cooperate in a new investigation? Whatever the outcome of the case, these questions, and others, deserve to be answered.

But maybe the real question is, does anybody really care anymore? Does time erase every outrage? Martin Luther King Sr. now greets George Wallace on the floor of the Democratic National Convention and vigorously shakes the hand that thirteen years earlier his son had said was dripping with blood. "He's an inspiration to us all," King bubbles for the television cameras. Wallace, playing the role of the dignified leader of the "great middle class," grins broadly and allows that he and the elder King have always been good friends. Surely, any man who was friendly with Daddy King wouldn't have messed up the hunt for the killers of four small black girls. Yes sir, old George is an inspiration to us all. □



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'AS FAR AS THEY COULD GO':

# Dissecting the G.O.P.

**ALAN BARON**

*Newsweek* asked "if the party of Abraham Lincoln (is) slowly and painfully dying." *Time* reported that even Republicans question "whether the party can survive much longer." *The Wall Street Journal* suggested that the weeks ahead could determine "whether the Republican Party survives at all." *The New York Times* saw the Republicans capable "perhaps of destroying the party." Columnist Robert Novak suggested that "The prognosis for the GOP is grim—its survival by no means certain." And, following the Kansas City convention, both Ronald Reagan and Charles Mathias raised doubts about the Republicans' continued existence. All in all, it was not a good week for the Grand Old Party.

The prevailing pessimism was universally supported by a few key statistics, figures that showed the party to be in worse shape than it was following Goldwater's loss in 1964: only 22% of the electorate identifies itself as Republican, compared to 46% as Democratic; the Republicans have declined from 39% in 1944, while the Democrats have increased from 41%; the proportion of Republicans among newly registered voters is approaching single digits; the GOP controls both houses of only four of fifty state legislatures, thirteen of fifty governorships, thirty-eight of 100 Senate seats and 145 of 435 seats in the House of Representatives.

Before any final obituaries are written, however, it is important to consider some additional facts. First, hundreds of state laws and local ordinances have been written to perpetuate the two-party system and the Republican Party; they make it extremely difficult to build new parties in most places. Second, new federal campaign financing laws perform this same function on a national level. Third, the two-party system and the Republican Party are presented as basic elements of democracy in most textbooks and schoolrooms in the country. And, most important, there are far more Republican voters than there are Republicans. The party has won four of the seven Presidential elections since World War II. In the nine largest states—California, New York, Texas, Pennsylvania, Illinois, Ohio, Florida, Michigan and New Jersey—the GOP has won twenty-five of the forty-eight U. S. Senate elections held since 1960. Currently, it holds nine of the eighteen Senate seats in these states. The Republican Party can decline without disappearing. It can exist—and sometimes prosper—as an alternative party, a party that wins when the Democrats lose. And for that reason, the internal dynamics and composition of the party are important to the nation.

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For it is clear that this alternative party is becoming an increasingly conservative one, creating a situation which severely limits the options available to moderate and liberal voters. Delegates to Republican conventions are more conservative than Republican voters, just as delegates to Democratic conventions tend to be more liberal than Democratic voters. But the delegates to Kansas City were probably the most conservative in the party's history. According to a *Washington Post* survey, 63% describe themselves as conservative, compared to 53% in 1972, and the proportion of liberals fell from 13% to 6%. While the national polls showed Republicans clearly preferring Ford to Reagan, the convention was almost evenly divided. Perhaps even more revealing was the Resolutions (platform) Committee debate, where two of the most conservative members of the Senate, Roman Hruska and Robert Dole, generally found themselves on the moderate (or less militantly conservative) side of closely divided issues.

This year, for a whole series of reasons—among them Watergate and Jimmy Carter's appeal to moderates—the Republican Party has contracted to its narrowest base, in somewhat the same way the Democrats did in 1972. And that contraction was magnified by the party's delegate selection rules, including the formula for apportioning delegates to the states. Delegate apportionment formulas usually reflect both the "general electorate" and "partisan strength." If the "general electorate" were the only factor, areas providing a party with little support would be overrepresented; if "partisan strength" were the sole determinant, a party might be less likely to appeal to voters beyond its base. So both parties use both factors, but there are striking differences in the way they measure each.

This year, the Democrats allocated half their delegates on the basis of each state's share of the "general electorate," the Republicans, 71%. Both parties used electoral votes to measure the "general electorate," but the GOP awarded four extra delegates to each state. In both parties, the use of electoral votes (rather than voting population) aided small states; the Republicans aided them even more.

The Democrats allocated the other half according to partisan strength, as measured by the popular vote for the Democratic Presidential nominees in the last three elections (i.e., "one Democrat, one vote"). The Republicans allocated 29% on partisan strength, but they based this on elections won, not votes received. A few were awarded to states electing Republican Governors and Senators; most were allocated to states the Republicans carried in 1972. Each state carried received a bonus of fourteen and one-half votes and 60% of its electoral vote. A state which the nominee did not carry received *no* bonus votes. This winner-take-all aspect of the plan had little impact in 1976, since Nixon carried forty-nine states (it could have a major impact in 1980, significantly



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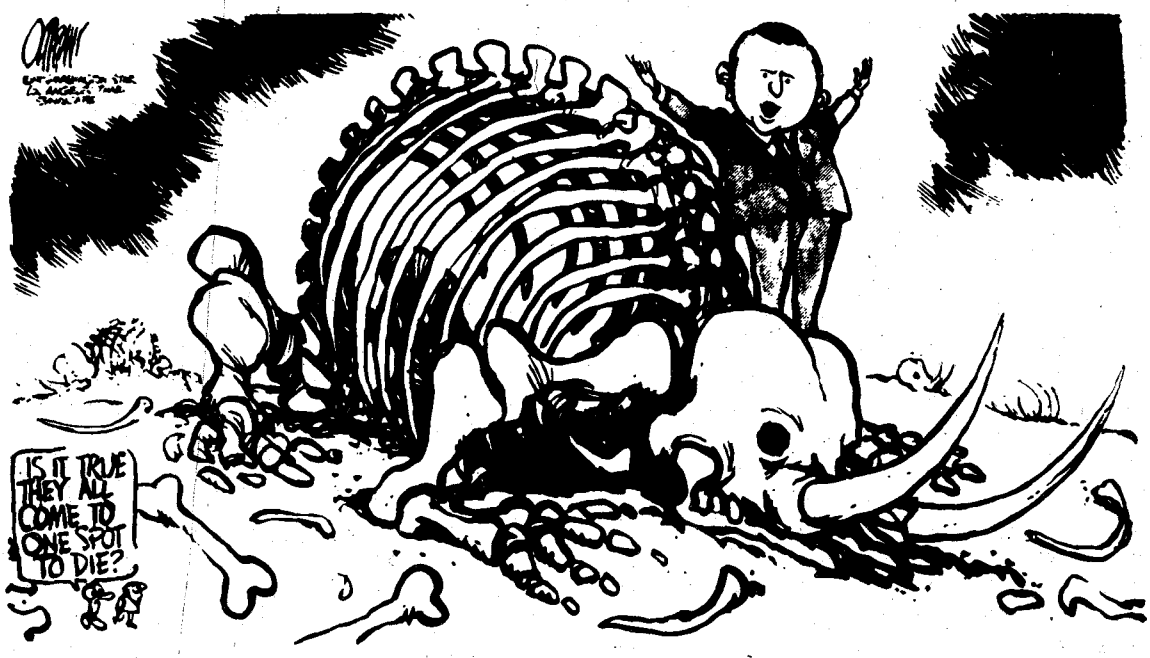
weakening the South, if Carter sweeps there, but Ford does better in other regions).

Consider the nine largest states. These states—almost every one vital to Republican victory—all went for Nixon in 1972. They gave him 53% of his total popular vote and 47% of his electoral votes. Yet they received only 41% of the delegates to Kansas City. If the GOP had used the same type of formula as the Democrats, the nine states would have been allocated 49%; the formula suggested by the liberal Republican Ripon Society gave them 46%. With minimal debate, this plan was readopted for 1980; it was initially approved by the Republican National Committee and the Convention Rules Committee, both of which were even more malapportioned than the convention as a whole. As was the case with the Democrats prior to 1972, each committee consisted of two representatives—a man and a woman—from each state. Thus, Alaska, Wyoming and Nevada (which cast a total vote of 271,000 for Nixon in 1972) were able to outvote New York and California (with a combined Nixon vote of 8.8 million). Since most key convention decisions are decided in committee, this malapportionment had real impact.

The ingrown conservatism of the Rules Committee was even more clearly reflected in its vote against giving Republican Governors, Senators and House members floor privileges (but not votes) at future conventions. The Democrats adopted a similar proposal this year, as a consolation to party regulars who had sought votes for the elected officials. But the Republican Party activists were more militant than their Democratic counterparts on this point. It is interesting to note that elected officials perform the same role in both parties; Democratic elected officials generally push the party right toward Center; Republican officials, left toward Center.

Another factor affecting the composition of the convention was the use of "winner-take-all" processes in primary and caucus states. It is not clear, however, who benefited from this. There was only one statewide, winner-take-all primary, California, where Reagan won 68% of the vote and all 167 delegates. In all the primaries combined, however, Ford won 49% of the popular vote and 51% of the delegates. It is harder to measure the impact of the lack of proportional representation in nonprimary states. Most of these elect delegates on an individual basis and do not poll participants for Presidential preference. However, since Ford slates included more elected officials and "name" delegates, he may have been helped to a certain extent in these states as well.

Few other delegate selection rules appear to have had much effect on the ideological thrust of the convention. Unlike the Democrats, Republicans give precedence to state laws over national party rules. There are none of the national rules the Democrats have adopted on such matters as the apportionment of delegates to local conventions, caucus times and places, circulation of public information, etc. Nevertheless few, if any, Republicans allege that the process was conducted unfairly, as was the case with the Democrats. One reason for this may be that the deep divisions within the Republican Party are more regional than local. This can be seen by the vote on the Vice Presidential rule (16-C): Ford's position carried every Eastern state and 84% of their delegates; he carried nine of twelve Central states and over 70% of their delegates; Reagan carried ten of fourteen Southern and Border states and 72% of their delegates; he carried ten of thirteen Western states and 81% of their delegates. In the primaries, he barely contested such states as New Jersey, New York and Pennsylvania, something no Democrat would be likely to neglect. In fact, Democratic divisions are far less regional—and far more local; they are found within virtually every state and Congressional district, as well as in most coun-




*"This Is No Time for Rattling the Dusty Old Skeletons of Watergate!" said Sen. Howard H. Baker in His Keynote Address.*



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ties and many precincts. This may be one reason why the Democrats generally have more credentials fights than the Republicans. This year, Reagan and Ford agreed to avoid such fights, but had there been strong, active and adamant local opposing camps involved in challenges, an agreement would have been much less likely.

Nevertheless, it was surprising how little bitterness developed over any of the rules. In the committees the procedures followed were much more open and democratic than those used by the Democrats. The platform was drafted by the committee members, meeting in public, while the Democratic platform was drafted by a small subcommittee and the representatives of the Presidential candidates, meeting in private. The debate was generally civil and usually very professional. The only limitations were those imposed by *Robert's Rules of Order*. Prior to this year, any delegate on the floor of the convention could propose an amendment to any motion, have it debated and voted upon. This year, like the Democrats, the Republicans adopted a rule requiring that 25% of the members of the Resolutions Committee approve a minority report. But the rule was not adopted for other committees, so a single delegate could bring questions on credentials or rules to the floor.

There are several other potentially important areas where Democratic and Republican rules vary. Democrats restrict "crossover" voting, although not very effectively. Republicans do not, and Wallace Democrats aided Reagan in the Texas primary, among others. Democrats require that delegates be replaced by alternates of the same Presidential preference; Republicans do not, and in some cases this year a delegate was replaced by an alternate supporting another candidate. Democrats give Presidential candidates the right to approve delegate candidates; this year, Republicans adopted the Ford-sponsored "Justice rule" to require delegations with binding primaries to vote in accordance with state law. The Democratic rule is, of course, much stronger, since the candidate can count on the support of his delegates on every question—not just the roll call on the nomination. Democratic Presidential candidates are nominated by petition, which any delegate may sign; Republicans require a candidate to show majority support from five states to be nominated. If the Democrats had the Republican rule, Morris Udall could not have been nominated this year.

Few of the Republican rules, on either delegate selection or convention procedure, are likely to change in the near future. Such reform as there has been was proposed by the Rule 29 Committee, created by the 1972 convention to broaden the party's base and chaired by liberal Wisconsin Rep. William Steiger. The committee was hardly liberal by non-Republican standards, but it was much too liberal for the conservative majorities on the Republican National Committee and the Rules Committee. Thus, when the committee proposed that the new national committee should appoint a committee "broadly representative of the Republican Party" to review the 1976 rules, strong opposition developed. Paula Hawkins, the Republican committeewoman from Florida, went so far as to charge that the Steiger committee had included "two labor leaders and two members of Common Cause." A Virginia representative suggested that blacks and others wanting to get active should start at the precinct level. The Steiger proposal was defeated, and the new rules leave the question of reform to the Republican National Committee.

Which leads to the question of just how the Republicans rebuild their party and broaden their base. Virtually every Republican in Kansas City, when asked, responded about the need to "reach out" to independents. The Minnesota party even changed its name—to the "Independent Republican" Party. The real problem, however, comes in defining "independent."

To conservative Republicans, independents are "former Democrats," Southerners, Catholics, ethnics, construction workers, persons socially conservative and committed to a strong national defense. These are the people Kevin Phillips predicted would constitute the "emerging Republican majority" (now Phillips is calling for a new party). To more liberal Republicans, independents are "former Republicans"—many of the people lost in the last two decades—suburbanites, business and professional people, the college-educated, the League of Women Voters and environmentalists.

The vast majority of delegates to Kansas City, probably some 60%, shared the conservative definition. They totally dominated the proceedings. Thus, an overwhelmingly upper-income, white, Protestant Resolutions Committee (even a majority of the Irish delegates to the convention listed their religion as Protestant) adopted socially conservative positions on abortion, busing and school prayer, partly out of conviction, but mostly to reach out to the Irish, Italian and Polish Democrats who were not in the room. There was, of course, a limit to this type of "affirmative action" program; the conservatives didn't give an inch on economics; they complained of the "massive assault on capitalism" and defended oil company profits. School prayers, yes; jobs, no. Thus the Republicans condemned welfare "loopholes" but deplored as demagogic the use of "loopholes" to describe tax incentives. The remaining 40% of the delegates were divided between traditional Republicans, including Gerald Ford, who basically capitulated to the conservatives, and moderate/liberals, perhaps only a fifth of the convention.

The moderates had few votes but some strong electoral logic on their side. Of the twenty-seven Governors and Senators holding office in the nine largest states, ten are Republicans. By Republican standards, six of the ten are liberals (Javits, Percy, Schweiker, Scott, Milliken, and Case), three are Republican moderates (Griffin, Rhodes, Taft) and only two (Buckley, Tower) are conservatives. In 1974, when twenty-five members of the conservative House Republican Steering Committee lost their re-election campaigns, only one member of the liberal Wednesday Club was defeated. Neither Republican postwar President—Eisenhower or Nixon—ran on a program anywhere near as conservative as Gerald Ford's, let alone Ronald Reagan's. But the Republican moderates, within the party, do not seem in very good shape. They face a problem of will, as well as numbers. By nature, moderates just don't fight as hard.

Take the black Republicans. There were seventy-six



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black delegates to Kansas City and seventy-four of them backed Gerald Ford. Had they withheld their support Ford might not have been nominated. A leading Democrat was asked what his party's blacks would do in such a position: "Well," he began, "you can start with the next three Supreme Court vacancies. . . ." But black Republicans are not black Democrats. Most of them are employed by either Republican officeholders or large corporations. A few are conservative, wealthy individuals and some are lifelong Republicans from areas with a traditional black Republican presence, such as Kansas. Others are ambitious local politicians who find their opportunities blocked in particular local Democratic parties. Within the Republican Party, they serve a "symbolic" role; with the exception of Senator Brooke and a few others, they exert little pressure. As the convention convened, the black Republicans were preoccupied with the election of a chairman for the new National Black Republican Council. Sen. Robert Dole addressed the group: "I understand you have a very spirited contest going on here at your convention," he said, "just as we do at ours."

More than 30% of the Republican delegates were women, only a slightly lower proportion than at the Democratic convention. But the similarities end there. The militants among Republican women are on the Right; Phyllis Schlafly and her allies almost succeeded in having the party's traditional endorsement of the Equal Rights Amendment removed from the platform. Only the direct intervention of the Ford campaign—and Betty Ford—prevented the Resolutions Committee from voting ERA out. Nevertheless, the militant right-wingers were probably in a minority at the convention; the pro-ERA women claimed their surveys showed 55% of the women delegates backing ERA. Forty per cent of the women on the Resolutions Committee—including a majority of the women from the Eastern and Central states—opposed both Ford and Reagan on abortion and filed a minority report deleting the platform's anti-abortion plank. Pat Huter, a strong proponent of ERA, is president of the 200,000-plus-member Federation of Republican Women, which was previously controlled by the right-wingers. This year, they put on a program honoring Republican women leaders rather than their traditional fashion show. But the situation is still far different from that of the Democrats. At the Massachusetts caucus, Elliot Richardson referred to the women delegates as "the girls." If that had happened at a Massachusetts Democratic caucus, Mr. Richardson would have found himself in big trouble.

One reason why the women's role in the Republican Party is different from their role in the Democratic Party was clear at every committee meeting and debate: the Republicans are a party of individuals, not a coalition of constituencies. Most Republican delegates represent their local parties and themselves; they do not represent—or seek guidance from—the women's caucus, the black caucus, the AFL-CIO, the Liberal Labor Clearinghouse, the Latino caucus, or the Chamber of Commerce. This becomes apparent during committee meetings—when the members generally remain at their desks, debating the issues, rather than running to the back of the room, checking on strategy.

And between conventions, the Republican Party which, from the standpoints of class, race, income, education and philosophy, is much more monolithic than the Democratic Party, is much less a national party. There is less communication across state lines. However, if the party's liberals and moderates are going to remain even a minority force within the party, there will need to be a great deal more such communication. As long as the Percys and Hatfields see themselves as individuals—with little role to play in the party—they will grow even less relevant. In 1974, when moderate Houston Flournoy ran for Governor of California, his fellow moderates never mobilized to help. Flournoy received nearly 49% of the vote; had he won, he would have been a major force for moderation in the party. Former Alaska Gov. Walter Hickel says that moderates have got to "get together and learn to fight." If they don't, they might as well leave the party. And if they do that, just how conservative an alternative government will there be when the Democrats decide to lose? And that, of course, is bound to happen again one of these days. □

# PRIMROSE PATH TO BANKRUPTCY

**VERN COUNTRYMAN**

One of the most flourishing aspects of our modified free enterprise system is the use of consumer credit. Since World War II such credit outstanding, including home mortgages, has zoomed from $30 billion to more than $600 billion (end of 1975). In 1946 consumers paid in interest and debt retirement 6 per cent of family income; twenty years later it was 22 per cent. Another commonly employed index for measuring the burden of debt—the percentage of annual personal income represented by total personal debt—increased from 18 per cent in 1946 to 50 per cent in 1970. For the vast majority of consumers the only source for meeting that burden is future income. For such people, a layoff or illness of the wage earner, or unanticipated family medical or other expense, can mean financial catastrophe. Others, who have not

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properly balanced credit commitments against income, experience such catastrophe inevitably without intervening emergencies.

For the profligate, overextension today is easy. The institutional grantors of consumer credit are more interested in volume than in thorough credit investigation. Their losses range from .05 to 2 per cent of total receivables. And such credit investigation as they do make usually consists of three steps not well calculated to produce an accurate picture. The first is to have the debtor fill out, and the debtor and spouse sign, a financial statement, frequently while they sit in the creditor's office and without the opportunity to consult any personal records they may have.

The second step is to verify the debtor's income as listed on the financial statement. This commonly involves no more than a call to the debtor's employer, which verifies only one side of the picture. A creditor content to lend money on the basis of reliable information as to the debtor's income alone is matching the prudence of the New Hampshire banker who satisfied himself of the soundness of investments with Charles Ponzi by checking only on the balances in Ponzi's bank accounts—despite the fact that Ponzi, having started with a capital of $150, obligated himself to repay $150 for every $100 invested with him, so that, as the Supreme Court later remarked, he "was always insolvent and became daily more so, the more his business succeeded."

To ascertain the consumer's liabilities, the third step of most creditors is to check with the local credit bureau, which maintains its files from three principal sources. (*1*) Other subscribers to the bureau's services will supply information about the debtor's credit performance with them, if any, but that tells nothing of his credit performance with nonsubscribers or of his total indebtedness. (*2*) The more enterprising credit bureaus scrutinize official records for arrests, lawsuits, judgments, bankruptcies, mortgages, tax liens, marriages, divorces, births and deaths, but the substantial possibility of mistaken identity, combined with the frequent failure of official records to include final dispositions of many such matters, renders this source highly unreliable. (*3*) Most credit bureaus maintain a news-clipping service, and some of them use it as a substitute for checking official records. They are foolish to do so, for this service poses even greater danger of error than do the official records.

After hearings which focused on the denial of credit because of erroneous adverse information in credit bureau files, Congress in 1968 passed the Consumer Credit Protection Act, designed to give the would-be borrower some protection against improper denial of credit. Unstressed, but equally serious, is the improper extension of credit. Just as mistaken identity places a debt in the wrong credit bureau file, so does it omit that debt from the appropriate file. And few, if any, files list all debts. But if the loss ratio is low enough, on a large and expanding volume of credit sales, creditors have little reason to worry about the accuracy or adequacy of their information.

The day of reckoning comes, not for the creditor but for the overextended consumer. And when it does, state law offers him little relief. As long as a federal Bankruptcy Act is on the books, the Supreme Court has said, *it pre-empts any power of the states to authorize a similar* procedure which would give the consumer a discharge of all or any part of his debt to any nonconsenting creditor. A handful of states do what they can by authorizing wage earner receiverships under which the debtor can get an extension of time to pay off his debts in full, if that is feasible. Creditors in all states may voluntarily enter into binding agreements to extend maturities or to accept a part payment in full discharge, but no creditor who does not consent is bound by such agreements.

On the other hand, state law provides the creditor with writs of garnishment for reaching the debtor's wages and writs of attachment and execution for reaching his other property. Some property is exempt from these writs, but the exemptions vary widely from state to state. A very few states exempt all wages and the federal Consumer Credit Protection Act permits garnishment only of the lesser of the excess over $69 per week or of 25 per cent of weekly earnings. But whenever any part of wages can be garnished, compliance with the writ is a nuisance to the employer, and the Act provides inadequate protection from discharge from employment by forbidding it only in the case of garnishment "for any one indebtedness" and by prescribing only criminal penalties, which federal prosecutors are not likely vigorously to enforce, rather than damages and reinstatement for the discharged employees. State exemptions for property other than wages range from the remarkably generous in Texas to the remarkably niggardly in Maine or Maryland. Probably no state provides effective protection from creditor harassment, by telephone, mail and personal visits, not only of the debtor but also of his family and employer.

With the state law in this distressing condition, overburdened consumers have only one other legal remedy to which they can resort—the federal Bankruptcy Act. And resort to it they have, in increasing numbers. Bankruptcy filings have increased from 10,000 in 1946 to almost 255,000 (more than twice the number of all other civil cases filed in the federal district courts) in 1975. Year in and year out, more than 90 per cent of the cases have been consumer cases (save for 1975 when business filings edged up to 12 per cent).

A Brookings Institution study of bankruptcy cases that were closed in 1964 found that the typical personal bankrupt is a 36-year-old married industrial worker with three years of high school education, three children, yearly income of $5,200 and $5,000 in debts—for him, the ratio of annual personal income to debts is approaching 1 to 1. If members of debtors' families are counted, more than a million such Americans were involved in consumer bankruptcies last year.

Although the Bankruptcy Act offers a choice of remedies, the largest group of consumers—more than 221,000 in 1975—choose "straight" bankruptcy, under which their nonexempt assets are liquidated and the proceeds are first applied to expenses of administration (even the bankruptcy judges' salaries come out of the estate plus a $50 filing fee, instead of from public funds) and then to the



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claims of creditors. Most consumers make this choice because they have no significant nonexempt assets. In 85 per cent of straight bankruptcy cases—and doubtless in a higher percentage of the consumer cases, which on this point are not broken out separately in the official statistics—there are no dividends. Included in this 85 per cent is 70 per cent of the total cases in which there is nothing for administration expenses after exemptions; the expenses for these cases must be paid from the bankrupt estates of the other 30 per cent.

Hence, the sole object of most consumer straight bankruptcy cases is to preserve the debtor's exemptions and to obtain a bankruptcy discharge of his debts. This measure of relief under the present Act, which was passed in 1898 and last extensively revised in 1938, is comparable to applying a Band-Aid to a gaping wound. A federal Bankruptcy Commission which studied the problem for two years recommended changes in 1973 which would improve matters considerably although not, in my judgment, enough. Its proposals are now embodied in bills pending in Congress as H.R. 31 and S. 236.

First, as to exemptions. The Bankruptcy Act gives the debtor the exemptions to which he is entitled under the law of the state of his domicile. Theoretically, the purpose of exemption laws is to shield from creditors enough of the debtor's assets to support him and his dependents, so that they will not become public charges. But the exemption laws of many states have been subject to long obsolescence. Debtors do not have effective lobbies and the laws are neither regularly reviewed nor geared to a cost-of-living index. The rather spare list of exemptions in Connecticut, for instance, includes today, as it did in 1821, "ten bushels each of Indian corn and rye"; South Carolina has held steady since 1895 with a $1,000 homestead exemption. Even when revision does occur, it is affected by local attitudes toward the morality of indebtedness. When the Maine legislature in 1973 re-examined the adequacy of its $1,000 homestead exemption it concluded that the sum should be increased—to $3,000. Texas, on the other hand, includes in its generous list of exemptions a choice between a 200-acre rural homestead with no value limitation and a $5,000 urban homestead "without reference to the value of any improvements thereon." And the Texas Supreme Court did not intend to fix a limit when it approved an urban homestead on which the insolvent debtor had invested his last $125,000 in improvements. But in that wildcatters' state many a substantial citizen has known times of insolvency.

The result of this disparity in the state exemption laws, incorporated by the present Bankruptcy Act, is that the national bankruptcy exemption policy is far from uniform and can hardly be described as representing a Congressional judgment about what is necessary today for the support of a debtor and his dependents. The Bankruptcy Commission has recommended that the proposed new Bankruptcy Act contain its own listing of exemptions, with value limits geared to a cost-of-living index, for bankruptcy purposes. While there is room to quarrel with the details of the commission's list (a homestead of $5,000 **plus** $500 additional for each dependent and a $2,500 burial plot), it would be a considerable improvement over the present situation. Little has been heard on this proposal from the parsimonious states, but the generous states may succeed in having it converted into a floor, so that their citizen bankrupts may retain anything additional that state law would allow.

Of even greater importance to the bankrupt than his exemptions is the bankruptcy discharge of his existing debts. Although the Supreme Court has said that "one of the primary purposes" of the Bankruptcy Act is to give the bankrupt this "fresh start," the present Act imposes obstacles that deprive some 3,000 bankrupts of that opportunity every year. To discourage recidivism, the Act denies a discharge to any bankrupt who has received one within six years. To protect the integrity of the bankruptcy proceeding, it also denies a discharge to the bankrupt who conceals property from the bankruptcy trustee, or gives false evidence in the proceeding, or refuses to testify in the proceeding or to obey any other lawful order of the court, or fails to give a satisfactory explanation of how he got into financial difficulty. Also, to preserve the notion that the bankruptcy system should operate solely on its own gate receipts, the Act denies a discharge to a bankrupt who has been allowed to pay his $50 filing fee in installments and who fails to make full payment. (The Supreme Court has held that the Constitution requires the states to allow indigents to maintain divorce proceedings in state courts without paying filing fees, but that there is no similar constitutional requirement for bankruptcy proceedings in federal courts. The Congress has prescribed a $15 filing fee for other civil actions in federal courts, and it may be waived for indigents; for bankruptcy, the $50 fee is nonwaivable.)

But beyond all this, the present Act employs denial of discharge for purposes best left to the criminal law—indeed, to some extent it requires denial of discharge for conduct against which the Criminal Code also applies sanctions. The discharge is forfeited if it is shown that the bankrupt, prior to bankruptcy, had destroyed, falsified or failed to keep adequate records, had obtained credit for a business by giving a false financial statement, or had transferred or concealed property to defraud creditors. Thus are the sins of the father visited on the mother and three children.

The Bankruptcy Commission's proposal would improve matters somewhat. The six-year period for successive bankruptcy discharges would be reduced to five. For indigents, filing fees would be waived without forfeiture of discharge. (The bankruptcy judges' salaries would come from general revenues, as do those of other federal judges, but other expenses of administration would still come from the bankrupt estates.) Forfeiture is retained for bankrupts who conceal property from the trustee, give false evidence in the bankruptcy proceeding, refuse to give evidence or to obey other lawful orders of the court, or fail satisfactorily to explain how they got into difficulty. And the bankrupt and his family would still be punished by denial of a discharge if he had, prior to bankruptcy, tampered with, destroyed, or failed to keep adequate records, or transferred or concealed property to defraud his creditors.



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Even for the vast majority of bankrupts who do obtain discharges, the fresh start is not a clean one. The present Act excepts from the effect of the discharge a long list of claims, including certain taxes (principally all taxes which came due within three years before bankruptcy), debts incurred by means of a false financial statement (which a number of courts have found that some small loan companies make sure to get in anticipation of use in bankruptcy proceedings), claims for embezzlement or larceny committed by debtors while acting in a fiduciary capacity, claims for willful and malicious injury to person or property (some courts have found debtors guilty of willful and malicious negligence in the operation of their automobiles), claims for alimony and child support, and certain claims based on "morals counts" (adultery, seduction and breach of promise accompanied by seduction).

Here again, the Bankruptcy Commission would improve matters somewhat, but not enough. Its proposal would eliminate the morals counts, would limit the blanket exception for taxes to those which came due within one year prior to bankruptcy, and would eliminate the exception for false financial statements provided by consumer bankrupts, but retain it for business bankrupts.

The balance of the list in the present Act would be retained and the commission would add two new exceptions:

(*1*) Educational debts, if the first payment was due within five years of bankruptcy and if the court finds that payment of the debt would not impose undue hardship on the bankrupt and his dependents. A few news stories, some educators, and the United States Office of Education, which insures many student loans, have contributed considerable heat on this point. But the little hard information they have produced tends to show that the Office of Education should improve its collection practices rather than that ex-student borrowers are resorting to bankruptcy in large numbers. And no one has yet explained what talents the bankruptcy courts are to call upon in order to predict the procreating powers of the bankrupts and to fix their future living standards above the level of "undue hardship."

(*2*) Debts incurred within ninety days of bankruptcy without intent to repay and with bankruptcy in contemplation. Here, again, there is no evidence of a serious problem and the proposal is a sure-fire producer of litigation. Few creditors for any substantial amount who granted a loan within the three months before bankruptcy will resist this invitation to claim that the debtor acted with bad intent.

Exceptions apart, the protection now provided by a bankruptcy discharge is not ironclad. Although nothing in the Act requires such a result, the courts have concluded that a new promise by the debtor to pay a discharged debt, if made at any time after the bankruptcy petition is filed, is enforceable. Hence, certain types of creditors descend on the bankrupt (not infrequently in the corridors outside the chambers of the bankruptcy court) to obtain a signature to a new promise—by harassment, by trickery, by the inducement of further new credit, or by threats to repossess collateral, including worn furniture and household appliances of no use to the creditor but which the debtor would be hard put to replace. The commission would eliminate this sizable hole in the bankruptcy discharge by making all such promises unenforceable.

The relatively small number of consumers who invoke the Bankruptcy Act but do not seek a straight bankruptcy liquidation—about 3,000 in 1975—opt for a wage-earner plan under which they can get an extension of time, and perhaps a reduction in the amount of their debts, which are then to be paid out of future earnings. There are certain advantages for the debtor in this procedure:

¶ It is available for a plan involving extension of time only, even though the debtor has obtained a bankruptcy discharge within the preceding six years.

¶ If a majority of the unsecured creditors consent to the plan, all unsecured creditors are bound by it.

¶ The debtor retains any nonexempt assets and is protected from attachments, executions and garnishments while he performs under the plan.

¶ The debtor may avoid some of the stigma of bankruptcy (he is officially designated a "debtor" rather than a "bankrupt"), and even if he fails, after a three-year effort, to complete performance under the plan, he may still get a discharge if he can persuade the court that his failure was due to reasons beyond his control.

But the provisions of the present Act governing this procedure contain many defects from the debtor's point of view. Debts secured by real estate may not be dealt with. Debts secured by personal property may be dealt with, but each creditor so secured has a veto over whether the plan will bind him. There is no way to insure that the events which are beyond the debtor's control and which will permit a discharge despite default in performance will postpone their arrival for three years. The Supreme Court has suggested, although it has not ruled, that a bankruptcy discharge obtained within the preceding six years would bar both a plan reducing the amount of debts and a discharge for a debtor who was unable, for excusable reasons, fully to perform under the plan. Other acts or omissions which forfeit a discharge in straight bankruptcy also bar confirmation of a plan. Creditors, by insisting that the debtor's spouse or other relative, co-worker, or friend co-sign for his debts and who then proceed to harass the co-signer after the debtor petitions for a wage-earner plan, can put great psychological pressure on the debtor to make surreptitious payments outside the proceeding, at the expense either of his restricted family budget or of his successful performance under the plan. The commission's proposal would eliminate all of these defects.

If the commission's bill were enacted in its present form, it would be a vast improvement over the existing Act. But it will not be enacted in that form. Committees in both houses of Congress have held hearings over the past year on that bill and on a somewhat different bill proposed by the National Conference of Bankruptcy Judges. Witnesses have supported changes to improve the treatment of consumer debtors. Others support changes to make their treatment more harsh. The staffs of both committees are busily engaged in rewriting various provisions. Any enactment is at least one, probably two, years away. Meanwhile, consumer debtors must make do with the Band-Aid of the present Act. □



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# THE LEFT IN FRANCE AND ITALY

**NORMAN BIRNBAUM**

There are two Europes in Western Europe itself. One is the Europe of managed capitalism, of a political consensus organized around consumption, of half-effective parliaments and highly effective technocratic power. That is the Europe of giant national and multinational firms, of state industries run from the top, of glossy photo magazines and crowded highways. It is not the only Europe we see. Films and novels, philosophy and journalism bring us messages from another one—a Europe which questions its capacity to form and sustain a community, a Europe traditional enough to search for new values. Our connection with this Europe is aesthetic or abstract; we lack political contact with it. Yet what is happening in European culture has a political substratum of which most of us are ignorant. The often tendentious and sometimes silly reporting in the press and television, the "expertise" of academics eager to find boats not to rock, the curious disregard of our embassies for the European Left, have had their effects. For most Americans, even well-informed ones, half of Europe is *terra incognita.*

That half is in many ways the most interesting part of Europe. Demands for (and experiments in) participatory democracy in the work place and administration, the upsurge of ethnic and regional movements, new conceptions of welfare, are elements of a new politics. The new politics has traditional socialist ends—not only redistribution or more equality and justice, as important as these remain. A new kind of industrial society, a new culture, are at stake. Western Europe already has a great deal of economic planning. With its systems of health care, public transportation and social security, planning is something even (or above all) Europe's capitalists agree to—what else can give them productive workers, prosperous consumers and assured markets?

In the United States, the probability of a new Democratic administration, replacement of older Congressional leaders by younger and more critical Representatives and Senators, Jimmy Carter's emergence as something quite opposite of the conservative so many mistakenly supposed he was, suggest that we may soon experience another period of social reform. (Revolution is not on our historical agenda.) There is much to be learned from Western Europe. Concretely, an American Government intent on loosening its ties with our own wealthy elites can hardly continue to maintain privileged relationships with their counterparts in Western Europe. Governor Carter (Ben Wattenberg's curious belief that he has shaped Democratic foreign policy to the contrary) has ruled out American intervention against the Allendes of Europe. The time has come for more contact between our own Left (a substantial segment of which is installed in the Democratic Party) and the European Left. Surely, it is not compatible with either our self-esteem or our political efficacy that we should leave dialogue with Berlinguer and Mitterrand to journalists like Joseph Kraft and C.L. Sulzberger, who most assuredly do not speak for us.

In a recent visit to Italy and France—after the Italian election—I spoke at length with several leaders of the Left parties in those countries. These conversations were usually off the record. They were conducted in the languages of the European Left, which I presume to say that I speak, in several senses.

I said that I spoke with the Left—in Italy with the Communists, Socialists, with the Democratic Proletarian Party, and with a (most articulate) spokeswoman for the Radicals. I also talked with a representative of the Left's traditional antagonist, the Roman Catholic Church. The antagonism has been attenuated, of late. The *aggiornamento* has greatly increased the number and influence of Left Catholics in Italy, who recognize that they share with the secular Left an idea of society as something more than an aggregate of individuals, as well as a passion for justice—and some compassion for history's victims (all of us). Socialism is nearly two centuries old, and if its problems of adaptation to contemporary culture are small when contrasted with those of a doctrine aged two millennia—they are not insignificant. Socialists and Left Catholics are scrutinizing new forms, new experiences, for perennial human values or, viewed with our own and not God's or history's sight, values which can lend us some dignity. Political consequences follow.

The Italian Christian Democratic Party developed, after 1945, in the tradition of Catholic popular parties. It was not a class party but a class coalition. Two things altered its character. Economic development, urbanization, and secularization changed Italy's society and culture: the fixed foundations of a Catholic popular politics crumbled. The Christian Democrats also became the party of every conservative and privileged element in Italy. Indeed, the party—installed in Italy's large state sector—became a state within a state, identifiable with a regime of incompetence and corruption. The learned and influential monk who discussed these matters with me was fully aware of these difficulties, had indeed written about them. His short-term political prescription (a purge, in effect, and renewal of the Christian Democrats) conflicted, however, with his long-term historical analysis. In the face of a secularized Italy, he rejected the role of a Diaspora Church for Italian Roman Catholicism. The Church, he insisted, could not content itself with bearing minority witness: it had to remain a large spiritual force, implanted everywhere in the society.

Suppose, I asked, the majority refused its tutelage—as the results of the referendum on divorce suggested? His answer was that the Church had to seek new forms of contact with a people grown mature. Precisely that, however, was the ecclesiastical argument of the Catholic Left, which dismissed the Christian Democrats as prison-

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ers of Italy's past. The good padre seemed to sense that time was running out—unlike the Communist leaders with whom I spoke on the same day, who were far more serene. The priest, then, had almost no illusions—but very little cause on his own terms for hope. There are situations, it appears, which even Jesuits find difficult.

In the meantime, the celebrated "Historic Compromise" has come closer. Andreotti's new government is in office, due to Communist abstention—purchased at a considerable price. The President of the Chamber of Deputies is the Communist leader Ingrao (the job is a demanding one, which will keep him from opposing the compromise, as he has done). Important committee chairmanships have gone to the Communists, and they and the Left in general have secured the nonrenewal of perpetual ministerial mandates for Colombo, Moro and Rumor—touched in varying degrees by charges of corruption and incompetence.

Andreotti has promised specific measures to rectify the economic crisis and to protect the interests of the working population. He has done so, however, in exceedingly general terms: the Communists' attitude is that they will judge particular proposals on their merits. Helmut Schmidt's intimation, meanwhile, that no Italian Government formed without American-German approval can count on the economic cooperation of the other Western countries, has not hurt the Communists. Defending parliamentary and pluralistic socialism against the Soviet Union, they are plausible advocates of Italy's right to some independence within the Western Alliance. The Christian Democrats were publicly embarrassed by Schmidt's declaration (so, indeed, was Valéry Giscard d'Estaing, hard-pressed by a French Left delighted to claim that it alone can guarantee France's independence). For the moment, the Christian Democrats' electoral victory has turned into a considerable political defeat. They have been obliged to assume governmental responsibility which they can exercise only with the assent of the Communists.

Nothing is likely to change, on the surface, for some months—until the German elections of early October and our own in November. My talks in Rome did give me a sense of the directions in which the country can move. However, I realize that some things have already changed. Just retired as Prime Minister, Moro has come under heavy attack for alleged complicity with SID (the Italian CIA), whose sponsorship of Fascist terrorists, double agents and military plotters against the Republic has become increasingly difficult to conceal. The new Parliament is unlikely to be as supine as the old one in this regard.

The compromise has come closer—but its realization remains in doubt.Those opposing it are not only Jesuits. Some readers will recall the anecdote from Poland's October of 1956. Gomulka had been released from prison to take leadership of the Communist Party, and promptly recalled the Primate of Poland, Cardinal Wyszynski, from enforced residence in the country. Warsaw's intellectuals used the Café Bristol as a meeting place (it had foreign newspapers) and a prominent Marxist burst in. "Have you heard the news? Gomulka has just met with Wyszynski!" "How terrible!" declared a Catholic at one of the tables. "Now everything will be forbidden." A good many Italians feel the same way. The tiny Radical Party has only four deputies (two of them women), but its influence is not small. The Radicals have campaigned vigorously for divorce, for legalized abortion, for freedom of information, for a pluralistic and lay culture; I spoke with one of their supporters, one of Italy's (and Europe's) most noted journalists. She denounced the Communists for their machinelike power, declared that only an independent Left could save Italy from being crushed by the two great machines.

The opening of Parliament gave the Radicals a chance to dramatize their discontent. During the campaign, Berlinguer had advised Italians seeking a change to vote either for the Communists or Socialists—in effect pronouncing an anathema on both the Radicals and the Democratic Proletarian Party (which won six seats with a leftist campaign). The first public step toward the compromise was an agreement by the Christian Democrats to negotiate publicly with the Communists on parliamentary offices—at a meeting of the six parties descended from the wartime Resistance (Christian Democrats, Liberals, Republicans, Social Democrats, Socialists and Communists). At Parliament's opening ceremony, the Radicals tried to protest their exclusion from the negotiations—and when refused the right to speak, left the chamber to demonstrate outside. The Democratic Proletarians contented themselves with an ironic statement by one of their deputies, Luciana Castellina, to the effect that Parliament was a democratically elected assembly, not a club with rules of seniority.

I later asked Luciana Castellina about the Radicals' fear of the compromise. She thought it exaggerated: Italy was too complex, too vital, its culture too diverse, to submit to that kind of hegemony. The Demoproletarians criticize the compromise on other grounds. Themselves Communist dissidents, they think it possible to split the Christian Democrats and form a government of the Left in this Parliament. The Left, she said, already had 47 per cent of the votes (Demoproletarians, Radicals, Socialists, and Communists). Another 10 per cent could come from the Left Christian Democrats, and they would be joined by some of the smaller parties—notably the Republicans and Social Democrats. I asked whether this was not precisely the Chilean situation so feared by the Communists. Italy, she replied, is not Chile: everyone knows that if the Right attempts a *coup d'état*, civil war will result—with incalculable consequences for capitalism elsewhere in Western Europe.

Moreover, the Demoproletarians considered that the Communists had no chance of both satisfying their electorate and making a permanent deal with the Christian Democrats. Italy could not emerge from the structural crisis of Italian capitalism without modifying the composition of its economy, becoming more autonomous. That would demand popular effort and discipline, but these sacrifices could be asked only of a people with trust in their own government. The views of the Demoproletarians are far more important than their six seats would indicate. They (and their remarkable daily newspaper, *Il Manifesto*) have much influence on the Communist rank and file, and on that considerable number



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of Communist leaders still skeptical about the compromise. Circumstances have forced upon them a role they do not quite repudiate, that of the revolutionary conscience of Italian socialism. They are careful not to alienate the entire Communist Party, and they are hopefull of a Left turn by the Socialists.

The Socialists, for the moment, are turning in circles. I visited their headquarters on Via Corso while they were preparing a change of leadership: the building is large enough for a party with 49 per cent and not just over 9 per cent of the vote. The younger leaders struck me as surprisingly optimistic in their long view of their party's prospects. Perhaps their optimism was justified by the fact that their electoral debacle (they had hoped to improve on the 12 per cent of the votes they gained in the regional and municipal elections of June 1975) gave them an occasion to replace the leadership. None of the old leadership's calculations had worked.

The Socialists provoked elections no one else wanted —hoping that those who wanted a change but who were skeptical about the Communists would vote for them. Instead, those who wanted a change voted Communist; the skeptics chose the Christian Democrats. The revivified French Socialists have gained large numbers of Left Catholic voters. In Italy, the Left Catholic voters (and some of the leaders) moved directly to the Communists, while most seem determined to try to transform the Christian Democrats. The Center-Left alliance, the Socialists' obvious descent into clientelism, the absurdly narrow tactical maneuvering of their older leaders, combined to deny credibility to the party. Yet it does represent an honorable and important tradition of pluralistic socialism in Italy: the more perspicacious Communists (including those of that party's leaders with whom I talked) wish to see the Socialists prosper. Under what conditions can they find a third wind, after first remaining in opposition with the Communists and then, in 1962, joining the government with the Christian Democrats?

Tactical thinking is not unlike a drug: my intelligent and vigorous Socialist friends did not invariably take a profound view. The Socialists have traditionally been an anti-clerical, or Jacobin, *avant-garde* (the Communists always displayed more concern for Catholic sensibility). They seem unable to think about replacing that with a view which would make room for the Left Catholics. The Radicals, meanwhile, promise to attract some of the voters who are remote from the traditions of the working-class movement, but who wish for a more rational and humane society. I'd be surprised if at the next elections (anywhere from one to two years from now) the Radicals did not increase their strength. The Communists, meanwhile, may make more inroads upon the Socialists' working-class electorate and upon the middle-class vote.

There was an unstated premise to the thinking of those with whom I talked. Precisely because the Communists will continue as the largest and most dynamic of the Left parties, many voters will back the Socialists to keep the Communists from totally dominating the Left. Perhaps—but a party cannot renew itself if it defines its own vocation in such negative terms.

One of the Socialists I spoke with, however (and the most influential amongst them) seemed to envisage an eventual "reunification" of the European Socialists and Communists. This was most probable, he thought, where the Socialist parties were not only in alliance with the Communists but where they could complete the process of reconverting the Communists to pluralistic socialism. He expected a rapid attenuation of the Leninist tradition in the Italian and Spanish Communist Parties and reserved judgment on the French one. The effects of a distinctively West European Socialism upon Eastern Europe, he held, would be profound: he professed astonishment at American lack of vision, and at our policy makers' inability to see that an independent and Socialist West Europe was in our interest. I referred him to Helmut Sonnenfeldt's pious annotations of Henry Kissinger's thoughts, and we moved on to other matters. What about the German Social Democrats, I asked, who hardly shared this roseate perspective? National differences in emphasis and temper would continue, he thought, but the Brandt tendency was at least as likely to triumph in the long run as Schmidt's—and the new and younger Left among the Social Democrats remained to be heard from. The only thing he left out was precisely what distinctive contribution his party could make to this entire process. I was struck by the fact that neither he nor any of the other Socialists mentioned the themes so resonant in France: participatory democracy, decentralization, the search for a new democratic culture.

Another Socialist (more on the Left of the party than his colleague) spoke at length of the Mediterranean vocation of Italy. Bound to the United States and Western Europe economically, it could attain more autonomy by developing an independent policy in the Mediterranean basin. *Mare Nostrum* in red? Not quite—even if this Socialist idea had been anticipated by an American servitor with a Fascist past, namely, Fanfani. The Socialist version of a Mediterranean role for Italy combined cultural and political elements: it would enable a nation with deep (and bitter) experience of underdevelopment to aid less developed societies. It would also presuppose a form of self-regard not evident in the Christion Democrats' acceptance of a lesser role in NATO.

Yet another Socialist spoke about foreign affairs—specifically, relationship with the United States. The cultural and political map of our country is largely unknown to this Socialist generation (and, to be sure, to many of their seniors). The contrast with younger German Social Democrats or British Labourites is large. The party as such has almost no contact with American intellectuals, or with the more active elements in our public life. We talked about ways to remedy the situation. The danger is that a new American administration will decide to subsidize the Socialists as a counterweight to the Communists. I had the impression that our embassy in Rome has been paying more attention to the Socialists since the Communist advance of the past year. I use the term *danger* since nothing will serve the Socialists less well than to be characterized as our party: the Social Democrats, once proudly Atlanticist, have now sunk into corruption and insignificance—even numerically—after serving us for years. The Socialists will have to effect their own recovery, convince the vital forces



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of Italian society that they are authentic heirs of a great democratic tradition, and work with and upon the Communists from a position of moral strength which they now so obviously lack.

Since my conversations, Craxi, a new Socialist Party secretary from the younger generation, has been appointed. He is an associate of the Socialists' most prestigious leader, the octogenarian Pietro Nenni. He is from Milan, whereas his predecessor was from Naples. One thing about the choice is not provisional—his generation. Craxi has been termed an "autonomist"—a party current favoring independence. In a situation requiring alliance with the Communists, the concrete definition of autonomy will trouble the Socialists for years to come.

Finally I spoke with the Communists. I'd made it clear that I did not wish to receive one of those now fashionable talks in praise of NATO from the party's Foreign Secretary, the intelligent Sergio Segre. I also made it clear that I did not arrogate to myself the role of unofficial ambassador—the Italians, Communist or otherwise, have always been much amused by that sort of American academic or journalist who intimates that our entire ruling elite, if not the population as a whole, was waiting upon his or her report. Before visiting the party at its headquarters I spent an hour or so at the Gramsci Institute. The institute is one of the party's research centers, and has a European reputation for critical scholarship. I found that it was celebrating our Bicentennial by holding symposia on American history at its centers in Rome and elsewhere in Italy. There had been a dispute among Italian historians and social scientists on the nature of the New Deal. Some Left historians preferred to interpret it as "social fascism," but the Communists in general thought of it as a phenomenon of authentic social reform. Actually, a profound interest in our country is part of the Italian Communists' own intellectual tradition: Gramsci had interesting things to say about consumer capitalism and American culture.

The United States, as a society and a culture, is far more attractive to the millions who vote Communist in Italy (and to the party's militants, too) than is the Soviet Union. Our official agencies in Italy have erected large barriers to cultural contacts with tens of thousands of Italians active in the arts, sciences and professions—because they have been designated as Communists. The policy is absurd on many counts—above all, because the Communists have been employing what can be termed a cultural strategy. Open to contemporary culture to a degree unimaginable to those accustomed to think of orthodox Marxism as Puritanical or dogmatic or Populist, the Italian Communists encompass some of the most innovative tendencies in a society very much alive.

Talking with the party leadership, I had a mixed sensation of *déjà vu* and discovery. I'd met many Communists at different levels before, and in longer stays in Italy, had observed the party's implantation in daily life. I'd also read its official pronouncements, and followed its internal debates. I was not surprised to hear, again, tones of caution, compromise, moderation. What was new was a phenomenon akin to confidence, but both more and less than that: a sense of having taken important sectors of society in hand. The Communists dominate municipal administration in the larger cities and the important regions. Their influence in the unions is great—although Communist union leaders like Bruno Trentin should not be thought willing or able to put the party's policies ahead of union imperatives. Their role in cultural life is large. There is a traditional image of working-class parties as societies within a society, encapsulated and indeed isolated from the life of nations. The Italian situation seems to be the opposite. The *pays réel* belongs, in large measure, to the Communists: the *pays légal* is gradually (and in the Christian Democrats' case, painfully) adapting to that.

The Jesuit I talked with did not regard history *sub specie aeternatatis*: he was in a hurry, although uncertain of his ultimate destination. The Communists were, clearly, taking their time. We have to allow everyone to get used to the idea of our eventual presence in government, I was told: let's see how the next eighteen months go. The party's leadership thought that attitudes in official Washington were in any event changing, and believed that a new Democratic administration might well be less rigid and more respectful of Italy's autonomy. In the meantime, an end to the cultural boycott of Italian Communists, a change in our visa policy, would be appreciated.

There had been so much talk of Eurocommunism that I was somewhat surprised to find this not a prominent theme in the Communists' discourse. Instead, their contacts with the West European Socialists were emphasized—particularly the French ones, although one of my interlocutors had been to Britain recently to talk with Labour. The Communists were at pains to indicate a large amount of comprehension for the German Social Democrats' electoral difficulties with a Right led by the formidable and dangerous Strauss. I gathered that, Schmidt's major contribution to the noise level notwithstanding, the Communists were in frequent and not entirely distant contact with the German Social Democrats. The prospect of West European and American proposals for aid to the Italian economy did not particularly frighten the Communists. For one thing, they seem to consider that given internal discipline, efficient administration and competent leadership, the nation's economic resources are sufficient for an independent recovery. For another, they are not displeased at the alternatives for them implicit in offers of aid from Italy's "friends." If these are attached to political conditions excluding the Communists from government, the Communists will emphasize their role as spokesmen for Italy's independence and self-respect. If the other nations are prepared to negotiate with the Communists, they will endorse their claims.

Where, in all of this, did the historic compromise come in? During the electoral campaign, the Communists had shifted emphasis—from the compromise to the idea of a government of national unity to overcome the economic crisis. The Communists now think that a compromise is possible only with a strong or renewed Christian Democratic Party—and that does not depend upon them. Again, their strategy shows a maximum of tactical flexibility: the compromise can be brought nearer by maximizing Communist pressure. I asked, for instance, about the possibility of a "Social Contract" on the British



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model. The answer was suggestive. In Britain, Labour was in office and was the party of the working class: no such pact was possible in Italy with the working-class parties out of office.

The moderate strategy of international capitalism, represented in Italy by industrialist Giovanni Agnelli and the technocrat Guido Carli, has obvious political limits. Agnelli and Carli (serving in effect as intermediaries between the Communists and the unions in Italy and their own powerful friends abroad) have proposed a program of austerity in return for specific concessions to the unions. Earlier, to be sure, both had been willing to take the Communists into government—one gathers that our own government and financial elite whistled them off. The unions and Communists are now well placed to raise their price. A complicated and subtle process of bargaining has begun. It is hard to envy Andreotti, confirmed in office with a declaration by Nenni that his government was miserable, but better than none, ringing in his ears. Not only the Socialists have refused a coalition with the Christian Democrats. The Social Democrats, the Republicans, and even the Liberals (who in Italy are far from that) now regard the Communists as the decisive force in Italian politics. Like the Communists, they abstained on the vote of confidence, and for the indefinite future they appear unlikely to join any Christian Democratic initiative to push the Communists back toward political isolation.

We also talked about an essential problem: could a party highly centralized, even Leninist, in its organization claim to have been converted to democracy? We are accused, one of the Communists said, of duplicity because of having ready an alternative policy, advocated by other groups in the party. Obviously, we have different currents and disagreements: why characterize us as monolithic? I had the impression that the Communists are uncertain about this problem, if far from unaware of it. Their awareness, moreover, is not a matter of public relations—having told the Italian people for years that they are mature and must take the governance of society into their own hands, they can hardly ask of their members that they accept a party structure hierarchical and controlled from the top. We'll have to wait and observe the mode and manner of intraparty discussion in the next months: the grave political decisions confronting the party won't spare it serious internal debate.

I left for Paris bearing the regards of the Italian Communists for their friends in the French Socialist Party. It was the week of Bastille Day, and true to its national (not to say nationalist) temper, the French Communist Party was already *en vacance*. I did however see the Socialists, anticipating success in the legislative elections of 1978, and already quite governmental in their bearing. It is true that the regime is in evident disarray. Giscard d'Estaing campaigned with the slogan, "*Giscard à la barre*" (Giscard at the helm): he seems to be experiencing difficulty in holding course, or indeed, in charting one. In 1974, he edged out Mitterrand for the Presidency by about half a percentage point. The signs now point to a change in French opinion, in favor of a new politics, and a new society. The President's "advanced liberal society" has proven neither very advanced nor very liberal. Are the Socialists overly optimistic? One of France's most profound social analysts, the distinguished sociologist Alain Touraine, thinks so—but not for electoral reasons. Briefly, he doubts that profound social changes can be brought about without serious civil struggle. Our own stock market was sent down when the mild Walter Mondale was nominated as the Vice Presidential candidate: the French Left has had a good deal of experience with what they call *"le mur d'argent"* (the wall of money). Still, the Socialists think that with some 30 per cent of the vote going to themselves, 20 to the Communists, and at least 6 or 7 to the Left Radicals, they can scale it.

For the moment, their attention was fixed on the coming German and American elections. Their impatience with Schmidt was obvious. About America, their impatience was reserved for those large groups in the American Left which had denounced Carter as a conservative. We thought early, they said, that in domestic as well as foreign policy, he was superior to any of the better-known Democratic candidates. *"Carter à la Maison Blanche, Mitterrand au Matignon, voilà à quoi faire peur bourgeois*!" Their reasoning, in effect, was not dissimilar to that of the Italian Communists: Western Europe asked a decent respect for its autonomy, an end to the United States' obdurate alliance with the European Right. They had been besieged, recently, by the American Embassy. We love Socialists, our Ambassador kept telling them, but we simply dislike Communists—why don't you chaps do as the German Social Democrats, and ally yourselves with the liberals? The Socialists responded that they, unlike Schmidt and some of his colleagues, actually took socialism seriously. France was in any event not Germany, and they knew of no liberals with whom to ally themselves. That's easy, was our ambassadorial response, we'll find you some. The Socialists told me that their refusal of this kind offer conveyed no lack of respect, or indeed affection, for our country.

So again I encountered the theme of an American-German condominium. The French Socialists, who do not need to prove their democratic credentials to anyone, made it clear that they would give the Italian Communists a lesson in intransigence on this point—if it came to a confrontation. The French and German economies are interdependent, and the French are not without means of counterpressure upon the Germans. Significantly, the Communists are making overtures to the Gaullists, always available for nationalist rhetoric. In the end, the French Union of the Left may well collect large numbers of Gaullist votes—but its defense of national independence will have to rest, in the long run, on a reconstruction of the French economy and society.

We talked mostly about relations between the Socialists and the United States. Mitterrand returned from a trip to the United States last November with the sort of impression the French term *pénible*, disagreeable. Ford had refused to see him, Kissinger had been enraged at being told one or two uncomfortable truths, and the press had besieged him with questions not about his own party (the largest and most dynamic in France) but about the Communists. At a dinner in New York I witnessed an episode of embarrassing provinciality, when a *New York Times* editorialist attempted to persuade Mitterrand that, if elected, he would not have a mandate



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to take industry into social ownership. (I think it is the same person who is under the impression that a new kind of Marshall Plan would persuade the Europeans to renounce the Socialist tradition. Suffice it to say that he is wrong.) Who, apart from a few experts and those journalists who do not mistake themselves for Presidential advisers or Under Secretaries of State, knows anything about the new French Socialist Party? It has managed to coalesce a number of different streams: Left Catholicism, participatory democracy, the Jacobin tradition, a strong sense of the national tasks of the state. Again, there are ways in which contacts can be extended and deepened.

For the moment, Western Europe is preparing surprises for those parts of American opinion which think of the Old World as devoid of ideas, a kind of protectorate grateful for our benign intervention. There is, obviously, a good deal more we have to learn about it—not least in the interest of heightening our own capacity to take command of our own affairs. □

# LBJ, Rampant & Couchant

**Ronnie Dugger**

Doris Kearns's book about Lyndon Johnson* is one part gold, held together by two parts guesswork and filler. The gold is what he told her, the guesswork is her psychological theories about him, and the filler is her rewrite of biographical materials. Her book would have been more what it essentially is anyway if she had written about a third as much, telling us faithfully what he told her as she has done, but guessing less about his psyche and skipping the attempt at a biography. Nevertheless, I felt that I should have her book in hand before finishing my own life and times of Johnson, and I believe now I was correct in this. Her psychologizing and rehashing are of limited value, but what he told her is important both psychologically and biographically.

As for Kearns herself, her mother died when she was 14; her father, who did not finish high school, was a bank examiner. Making it to Harvard, she became a White House Fellow, but she nevertheless co-authored an article for *The New Republic* in 1967 calling for the defeat of President Johnson in 1968 by the formation of a third party on the Left. John Roche was then an aide of Johnson's, and according to Roche, a friend of his at *The New Republic,* learning Kearns was to be one of the Fellows, gave him an advance proof of her piece. He in turn gave it to Johnson, trying to head off a Presidential rage by telling him "how magnanimous he would look having a White House Fellow who openly rejected the war, etc." Thus, when Johnson first met Kearns a week before the article was to appear, he knew she had written it, and she didn't know he knew it.** At first, anyway, he was deceiving her.

The occasion of their meeting was the ceremony and dance at the White House for the Fellows. Johnson struck her as "a ruddy giant of a man with a strong mobile face, and a presence whose manifest energy dominated an entire room. . . ." During the dance he walked up to her, "standing so close," she told Sally Quinn of *The Washington Post,* "that his stomach almost touched my chest. Almost immediately, as we talked while waiting for the music to begin, I became uneasy, a sudden anxiety, produced, as I was later to realize, by his physical closeness. There was no hint of any sexual intention, but it was a violation nonetheless." Kearns told Quinn that after kidding her that the men at Harvard were bookworms who didn't dance, Johnson "tightened his grip on my back, slid his firm hand down to my waist and moved me in wide circles around the floor exuberantly."

As they parted, Johnson said in a loud whisper he had decided she should be the White House Fellow assigned to work with him in the White House. Knowing now what he knew then, we can guess he said this to her so she would become tormented. As she admits in her book she already felt some guilt about working in an administration against which her friends and colleagues were protesting and organizing, and upon the appearance of her *New Republic* piece, she was embarrassed by publicity that implied she was a New Left heroine. Johnson consigned her to the Labor Department, and she saw him only once again that year, in the fall, at which time, she relates, she asked him how he could fail to understand the seriousness of the country's opposition to the war in Vietnam.

That December and again in March 1968, I conducted lengthy interviews with Johnson for the book about him I had undertaken. I was not sure why he had consented to submit to my hundreds of questions but I thought his decision was associated with his sharper interest in his critics than in his admirers, his knowledge that something had gone badly wrong with his plans for himself in history, and with his desire to explain himself to someone who could then credibly explain him to posterity. That is, he wished to be justified. One evening in March, however, he said something to this effect: "Now, Ronnie, I'm giving you all these good stories, and I want a friendly book." As I began to answer he cut me off. George Christian, his press secretary, was with us at the time, and as I left the White House that night I asked Christian to tell him again that I intended a fair and accurate

* *Lyndon Johnson and the American Dream.* By Doris Kearns. Harper & Row. 432 pp. $12.50.

** Evidently Kearns did not realize this when she was writing her book, either. Roche told the story in a column in which he was commenting on the book.

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book, but that my response to his remark was "no deal." That was the last of the interviews. Two weeks later, a few days after his withdrawal from the Presidential race, Johnson called Kearns in, asked her to come to work for him, and began talking freely to her an hour or two at a time in the sitting room next to the Oval Office (the same room where he had told me he wanted a friendly book). Her interviews with him continued, evidently, over a three-year span.

According to Sally Quinn, Kearns told two of Quinn's reportorial colleagues at *The Washington Post,* Richard Harwood and Haynes Johnson, that Lyndon Johnson was in love with her, that he "pressed me very hard sexually the first year," that he asked her to marry him, and was jealous of her. A controversy ensued as to whether these alleged remarks had been off the record; Harwood and Johnson agreed not to publish them. *Esquire* published an article saying Kearns told friends at Harvard she and Johnson were lovers and repeating the things she was said to have said to Harwood and Johnson. She called these reports "total nonsense," and she told Quinn, "I really believe that Johnson was picking a person he wanted to write about him. People say he was in love with me and things like that. Partly that's true. But it was much more serious than that." She also told Quinn, "I did say Johnson was in love with me. I believed it then, but I'm not sure it was so simple."

In part Kearns must blame herself for the subsequent invasion of her and Johnson's privacy. I wish to say that it's nobody's business whether they were lovers. A contemptible presumption is developing in some quarters of the press that the private life of politicians is public business. Naturally, however, people are curious, and not necessarily for prurient reasons. For instance, Kearns comments quite a bit on Johnson's relationship with his wife, saying his match with Lady Bird "provided that totally secure and loyal center to his private life which alone could have sustained him." Nor is Kearns's relationship with Johnson irrevelant to how we see her own summary judgments about him. For example, while writing of "his ultimate failure," she believes that "the desire to benefit others was ever the prime motive of his quest for power." She found it "natural" that he sought the cause of his troubles in the hostilities and motives of "the press, the Eastern intellectuals, and the Kennedys." Consider, too, the title she chose or assented to. In a broad sense, her book is what he wanted, an apologia.

Oddly, two former Johnson aides have used Johnson's poor reputation for truthfulness to discredit the book. Roche said Kearns walked into "an ambush," that Johnson, realizing she was into "psychobiography," "began to produce truly Texan dreams." Horace Busby, a friend and aide of Johnson's, said she let Johnson "paint a self-portrait as he deemed it would be advantageous for it to be painted," and Busby thuddingly implied (although naturally no one could assert) that Johnson invented dreams to give Kearns what he thought she liked. Garry Wills, conceding there was truth in what Johnson told her about his mother's influence on him, nevertheless snickered that the book's background is "Johnson singing 'Mammy' for hours and hours to little Doris."

These reviewers are saying in effect that Johnson hoodwinked her. No doubt he tried, but she saw the dangers, and she is no fool. To an extent, she conned him. How else explain her accepting from him as gifts, "with a measure of good grace," as she says, twelve electric toothbrushes, one by one. She is specific about his deceitfulness as a politician, she says one dream he told her was "almost too good," and she leaves it to other biographers and persons close to Johnson to help understand "whether, for example, Johnson's family relationships were as he described them to me. At an earlier stage of his own life, Johnson portrayed these relationships quite differently." Formally, then, her stance about what Johnson told her is cautious; nor can Johnson himself be blamed for the interpretations she pasted onto what he said to her.

At the ranch in Texas, she writes, Johnson talked to her in the early hours of the morning, after he awoke at 5:30. "Terrified at lying alone in the dark, he came into my room to talk. Gradually, a curious ritual developed. I would awaken at 5:00 and get dressed. Half an hour later Johnson would knock on my door, dressed in his robe and pajamas. As I sat in a chair by the window, he climbed into the bed, pulling the sheets up to his neck, looking like a cold and frightened child." As he talked, she made notes. Surely this is one of the most remarkable scenes in the history of Presidential research, and I for one am glad Kearns was there to hear, for Johnson revealed a lot to her that we need to know, regardless of how self-serving he was. For instance:

He knew his fellow U.S. Senators in the 1950s "feared humiliation, they craved attention. And when they found it . . . their gratitude couldn't express itself with anything less than total support and dependence on me." When he became President, "I realized that if only I could take the next step and become dictator of the whole world, then I could really make things happen." He was determined to make his Cabinet members "more dependent on me than I was on them."

His theory of the press was contemptuous: "Reporters are puppets. They simply respond to the pull of the most powerful strings. . . . Every story is always slanted to win the favor of someone who sits somewhere higher up. . . . There's only one sure way of getting favorable stories from reporters and that is to keep their daily bread—the information, the stories, the plans, and the details they need for their work—in your own hands, so that you can give it out when and to whom you want."

He consciously practiced deception. In the Senate, he said, "The process itself requires a certain amount of deception. . . . If the full implications of any bill were known before its enactment, it would never get passed." Maneuvering to enact the civil rights bill of 1957, he told Senator Russell of Georgia that the Congress had to give the uppity Negroes "a little something, just enough to quiet them down, not enough to make a difference," but when the bill passed he hailed it as the greatest advance in civil rights since the Civil War. On Vietnam, he was determined to keep the war from shattering his Great Society, "which meant I simply had no choice but to keep my foreign policy in the wings"—that is, hidden.

He was conscious of his opportunism with individuals. "I knew," he told Kearns, "that [William S.] White ad-



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mired subtlety, and that if I played it right, I'd come out looking very subtle myself. . . . You learn that Stewart Alsop cares a lot about appearing to be an intellectual and a historian—he strives to match his brother's intellectual attainments—so whenever you talk to him, play down the gold cufflinks which you play up with *Time* magazine. . . . You learn that Evans and Novak love to traffic in backroom politics and political intrigue, so that when you're with them you make sure to bring in lots of details and colorful descriptions of personality. You learn that Mary McGrory likes dominant personalities and Doris Fleeson cares only about issues, so that when you're with McGrory you come on strong and with Fleeson you make yourself sound like some impractical red-hot liberal."

Although sentimentally attracted to radicalism, he understood that his career-long stress on unity and consensus was repressive: "The biggest danger to American stability is the politics of principle . . . for once the masses begin to move, then the whole thing begins to explode."

For the biographer, too, there are some stories here he told nowhere else, as well as different versions of stories he told elsewhere, and admissions he made only at the end of his career. Kearns's psychological work with what he told her, however, is dubious. Of course she is not trained in the field. She seems to regard psychological theories as akin to formulas in physics. She is willing to apply general theories to him apparently just because the theories are available in standard psychological texts and seem apt; in places she stretches her information to suit the theories. She presents fascinating information, but then goes too far with it. Once I asked a psychiatrist the name of the mental illness of a person she was treating. No, no, she said—that is the wrong question, the names are words doctors use to try to communicate with each other about what they see in patients, but what matters is what is happening in a person and to a person. That kind of humility about psychology is missing from Kearns's book.

Her general theory of Lyndon's youth is that of "an unhappy boy trapped in a divided home, relentlessly tumbled among the impossible demands of an unyielding mother, love offered and then denied in seeming punishment; contempt for a father who had failed, admiration for a father who was a model for a Texas manhood." She writes of "the syndrome" of his mother giving, then withdrawing love on the basis of his performance as if there was something special about a mother seeking to motivate her child by giving and withholding approval. She asserts matter of factly, as if reporting the weather, that when the boy Lyndon slept in bed with his mother when his father was away, "he is certain to have feared, at least subconsciously, that his father might one day cease tolerating his presumption and take revenge." She describes as a "peculiar game of power and convoluted sexuality" what may have been that, but may have been the bundling common on the frontier (in this case involving Lyndon, his little brother, and their father). It is true enough, as some academicians at the University of Illinois at Urbana are saying, that metaphor is thought—but thought overextended when Kearns suggests that in the Senate, Johnson re-created "his world with [his mother], run by his clock, centered on his person." Kearns's psychological analysis seems to me, in summary, to proceed from too little information and to solve mysteries too easily.

The dreams he told her he had are a subject in themselves. Whether he had them or made them up or had some and made others up, the fact he told them to Kearns is an event of biographical interest. Who knows what was dreamed, from what suggestion or fear, and what was made up or embellished? Compare, for instance, a dream from a book of mine when I was interviewing him in 1967-68 and a fantasy he told Kearns about.

In my book, *Dark Star,* I wrote that a pilot who helped bomb Hiroshima and subsequently was tormented with guilt about it, Claude Eatherly, told me that "a dream came, and came back, kept coming back, and was always the same, and did not leave him for twelve years. He was piloting his plane above [Hiroshima], and then he was on the ground in the city among the fires. He saw children running in and out of the fires, screaming. He wanted to run into the fires, and he would start to, but every time he would weaken, and would not. He says that sometimes he woke up screaming, and he would sit on the side of the bed in a sweat, the horror still with him."

I do not know whether Johnson read the copy of *Dark Star* I gave him, but he was bombing Vietnam, and he told Kearns:

"In the dark at night, I would lay awake picturing my boys flying around North Vietnam, asking myself an endless series of questions. . . . I would then begin to picture myself lying on the battlefield in Da Nang. I could see an American plane circling above me in the sky. I felt safe. Then I heard a long, loud shot. The plane began to fall faster, faster, faster. I saw it hit the ground, and as soon as it burst into flames, I couldn't stand it any more. I knew that one of my boys must have been killed that night. I jumped out of bed, put on my robe, took my flashlight, and went into the Situation Room."

To fill in the years and to flesh out her book, Kearns turns to some of the extant biographies and to selections from the vast Johnson literature. The insufficiency of her effort here is merely indicated by minor errors she has made. For instance, she garbled Johnson's hero-ancestor's role at the Battle of San Jacinto, misspelled one of his sisters' names, the name of the town where he made his first speech, and the name of an early patron, misnamed the college he went to, said a man was his 1937 campaign manager who was not, doubled the length of his tour in the Navy, had his father die at the wrong place. Nitpicking, this, except as it shows the uncertain nature of her biographical work.

What matters about her book, though, is the contribution Johnson himself makes through it to our understanding of how he practiced politics and what happened to us in the 1950s and 1960s. What he said to her was his real gift to her and is her gift to us now. □



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# BOOKS & THE ARTS

## The Crimes Committed to Paper

CELINE: A Biography. *By Patrick McCarthy. The Viking Press. 352 pp. $10.*

**ERNST PAWEL**

Great writers should be read but not seen. The very few saints among them are bores. The rest are likely to be unpleasant characters whose range of instability covers the gamut from plain meanness to fancy madness. All too often, the soaring spirit inhabits the flesh of some foul-mouthed lush who, in the rare intervals between beating his wife and his meat, molests children and steals coins from blind beggars by way of gathering inspiration.

Great writers are sure to madness near allied, which makes them what they are, and only fools and philistines would judge their work by their morals. There are, to be sure, fools aplenty who do; yet most people above the mentality of hack politicians or school board members learn, in time, to live with the fact that literary and artistic genius is rarely matched to moral probity or even plain common sense. Moreover, in an age where private depravity is an aspect of public relations, the spectacle of authentic talent acting out its self-destructive lunacy can seem downright appealing. And when it comes to genius, few are the sins we aren't willing to forgive, basking in the warm glow of our broad-minded tolerance.

Anti-Semitism, though, presents problems.

It is the very nucleus of madness, and we've come to know its explosive potential within a memory too recent —for those not bent on forgetting—to be complacent about it, or at least to be at ease with our complacency. No point arguing once again the waspish prejudices of a Cummings or an Eliot, or trying to measure the narrow gap that separates them from their Pisan Maestro. One's attitude is bound to be subjective —mine, as a Jew, forthrightly so, but even a pose of objectivity merely reflects a different bias. In any case, the works and person of Dr. Louis-Ferdinand Destouches, alias Céline, confront us with challenges of a different order altogether. Which comes as no surprise. Céline never ran true to any type and defied all easy as well as uneasy classifications.

For one thing, he upended the natural sequence of good and evil, the normal relationship between pure art and dirty artist. Céline, in his everyday existence, was a physician given to grim compassion and furtive generosity, a healer by trade and by choice. Beyond that, however, he was also one of this century's most powerful novelists, and the only one who committed his crimes by committing them to paper. It was in his work that the monster revealed itself—with a ferocity so outrageous that his admirers have been struggling to come to terms with it ever since, either by making up excuses or else by looking the other way. Céline's complete works in the Pléiade edition, for instance, do not include the more extreme of his scatologically anti-Jewish pamphlets.

The beast, of course, will neither be ignored nor tamed by such coyness, and few among his own contemporaries could have found it in their hearts to look at him with the dispassionate objectivity needed to see him whole—for better and for worse. But a new generation has come of age since the day when Céline, in Trotsky's words, walked into world literature as though it were his home. And now, some fifteen years after his death, we have what may well be the first biography that treats Céline with both the deference and detachment due a major writer whom time, by its mere passage, has turned into a monument.

Patrick McCarthy, a 35-year-old college professor, blinks at no facts and offers no excuses. His task, as he sees it, is to explain the man and to interpret the work, and his distance from the subject adds perspective to his views. But it also precludes the possibility of direct contact and thereby, in its own way, makes for distortions at least as serious as those caused by the blinding passions of earlier critics and iconographers. And it is obvious, from the results, that to approach Céline without passion is to drain him of substance. The fury he aroused was a measure of his power.

This power, to begin with, resides in language, in the beat and pitch of the Parisian argot which Céline transformed into the prose poetry of an all-encompassing hatred so savage as to touch upon its opposite. This sort of verbal alchemy resists translation. Nothing in even the best of English versions—Ralph Mannheim's translations—can begin to suggest the magic of Céline's own style, a fact duly noted by Professor McCarthy but which does not deter him from performing the punctilious *explications de texte* that take up about half of his book. His dissections of Céline's writings, from the major novels of the early years all the way to the tired drivel of the postwar phase, amount to an autopsy upon the dead body of the work—useful in its way, but hardly suggestive of the spirit that shaped these remains. And though McCarthy does his best to spell out the thrust of Céline's vision —naked, cosmic fear beyond hope of salvation—he conveys neither the force of its impact nor the complexities of the man behind it.

This may be too much to ask. There is room to be grateful for what Professor McCarthy has to offer—a close and intelligent reading of the texts, supplemented by a biography that deals in facts rather than speculation. But it is bound to leave readers unfamiliar with Céline wondering what the fuss was all about. Besides, the biographer is not really beyond scattering a fair number of speculations along the way and promptly stumbling over them.

> Perhaps it is unnecessary to ask why Céline started to write. The need to create was there; it showed itself in his conversations. Excitable, tormented by a too vivid imagination, he was always on the verge of entering his own nightmarish world. But there were two more specific reasons: the need to create beauty . . . and the need to pursue the truth, which he felt to be near.

Limp platitudes, and unfortunately symptomatic of the book's most serious flaw—a failure of the imagination. McCarthy ably catalogues more facts than we may care to know about Céline and his time but fails to bring them together in a pattern that would invest them with meaning. The man himself, to begin with. An anti-Semite in the age of anti-Semitism—which tells us nothing whatever about the roots of

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his hatred. The age of anti-Semitism began with the Flood; but hating Jews —as McCarthy acknowledges, quoting Sartre—remains a matter of individual choice conditioned by personal disasters that range from inanity to insanity.

What Céline articulates with such explosive force is, above all, the mentality of the French petit bourgeois—a fact that many of his interpreters have understandably managed to miss. It is a mind uncommonly shrewd, with large patches of ignorance fenced in by barbed suspicion, and any resemblance to the quick, quirky intelligence of the average French intellectual is more than coincidental. Anti-Semitism has long been part of the pattern; but however much Céline's special brand may owe to the milieu of his childhood, the lethal self-hatred that powered it was rooted in a paranoia of epic proportions. And just as Kafka's nightmare visions turned out to be understated descriptions of the real world, so Céline's paranoid delusions mirrored the tragic and inevitable destiny of France on the eve of World War II.

An odd and uncanny sidelight: Céline's first book, his doctoral thesis published in 1923, was a brilliant study of Ignaz Semmelweis, the cranky visionary who proved that obstetricians killed their patients by failing to wash their hands, and whom the struggle against the medical establishment reduced to a raving maniac. A touch of prophecy; Céline, too, drifted from vision into mania.

How did he get to be what he was? One can hardly fault McCarthy for not having ready answers; the trouble is that he doesn't even raise the question. Instead, he describes the French political and literary scene of the 1930s with a sketchy offhandedness that verges on innocence. And here his lack of personal involvement clearly works against him; he never even comes close to the deadly conflicts and subsurface tensions that marked the period, and he totally fails to convey the uniqueness and singular isolation of Céline both as a writer and a human being. Innocence may, in fact, be too kindly a term for his broad reliance on the tainted memoirs and memories of third-rate crypto-Fascists, Céline's self-proclaimed spiritual heirs, whose opinions on any given subject are about as valid and informative as the graffiti in a subway toilet.

Céline would have despised these disciples as he hated them in life. For he was, above all, a great hater, impartial in his venomous fury. He hated Jews, but he also hated everyone else, regardless of race, religion or nationality, not to mention politics. Most of all, he hated himself. And it is the frenzy of this self-hatred in perennial conflict with its unconscious opposite—a desperate tenderness and hopeless quest for love—that accounts for the depth and pathos of his two great novels, the only ones to justify his reputation as a major writer.

Céline was the quintessential loner, and in arguing his political activities, both his accusers and defenders miss the point: he had no sympathies, only antipathies, and he never actively committed himself to anything, certainly not to Hitler's Thousand-Year Reich. Just how much of this cagey restraint was due to inveterate skepticism and how much to petit-bourgeois prudence is hard to say and hardly matters—he was not the only fence straddler in the age of infamy.

He was the odd man out—very odd, very much out. Professor McCarthy documents the facts of Céline's sex life with pedantic attention to detail, and what emerges from his research—though he himself seems to have missed the point—is a sexual ambivalence that may have played a major role in Céline's development. His overt attitude toward homosexuality was one of hostility mixed with contempt; thus his attacks on André Gide and all he stood for grew, if anything, more strident with the years. At the same time, he was addicted to vigorous promiscuity, actively encouraged lesbianism in all his lovers, and wrote about sex with an explicit brutality that reached almost lyrical paroxysms of disgust. He was clearly obsessed with the subject, but it was sex as an act of hate and a fact of death.

## VAMPIRE BRIDE

*A bouquet of blue pistons and razor blades*
*she holds in her hands.*
*Her dead grandmother's lace gown,*
*tucked, shortened.*
*And the veil she made herself*
*over the years, over her face*

*like a spider. Again she said yes—always*
*the hopeless romantic, the archaic maid.*
*Crouching behind his hearse,*
*the undertaker undoes the cans.*
*He, too, saw her naked, and was content*
*a better man won.*

Cold feet *is his only explanation.*
*Look at her, most beautiful in disgrace!*
*What she must be thinking! Each present*
*to return, apology made.*
*Each lie, "a sudden change in plans."*
*Reverse, and double reverse,*

*and still she's hers,*
*with all she disowned:*
*her breath, the subjunctive errand*
*of her nights and days,*
*her golden ring,*
*her reticence.*

*At last the priest begins to sense*
*the meaning of love, like a horse*
*its falling rider. "I'm afraid*
*I can't marry you," he blurts. The organ,*
*programmed for any occasion, plays*
St. James Infirmary. *Relations dance*

*around the altar. With desperate nonchalance*
*they toss black rice, in deference*
*to her hope that when she dies again she stays*
*dead. She's the source*
*of all the trouble they have known.*
*She's the promise they insist they never made.*

Adam LeFevre



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It would be simplistic to suggest that this conflict of instincts lay at the heart of Céline's many quarrels with the world, important though it may have been. He was a man of immense complexity, and posthumous psychoanalysis is a dubious proposition at best. So, however, is naïveté. Neither can possibly do justice to this *écrivain maudit* who gave voice to the nihilism of his time and place.

What McCarthy has competently done is provide a road map for Céline's journey to the end of the night, and within its self-imposed limits this is a useful effort. But as it happens, the night never ended, and the voyager himself defied all efforts to trap him by vanishing in a darkness far more profound than any mere road map can hope to chart. □

# The Art of Survival

A VOICE FROM THE CHORUS. *By Abram Tertz (Andrei Sinyavsky). Farrar, Straus & Giroux. 328 pp. $10.*

**HARVEY FIRESIDE**

In February 1966, the prosecutor of the Russian Supreme Court faced Andrei Sinyavsky, accused of having manufactured "slanderous inventions defamatory to the Soviet political and social system." Could he deny that his satirical tales, published in the West under the pseudonym Abram Tertz, contained deliberately insulting sketches of secret policemen and other officials, even a caricature of Lenin?

"I am not a political writer," replied Sinyavsky. "No writer expresses his political views through his writings. An artistic work does not express political views. You wouldn't ask Pushkin or Gogol about their politics." The transcript prepared by friends of the accused who managed to gain admission notes that, at this heresy, the claque of party members exploded in indignation. Nonplused, Sinyavsky concluded, "My works reflect my feelings about the world, not politics." These courageous words failed to stave off the preordained sentence of seven years, as no one charged with political crimes has ever been acquitted by a Soviet court. The prison memoirs bear witness that they were also a credo suited to the art of survival.

Sinyavsky's achievement is to turn the five years and eight months of overwork and malnourishment into a spiritual voyage. His equipment, as befits a senior scholar at the Gorky Institute of World Literature, consisted of an extraordinary mental armory in which Shakespeare and Homer elbow the bards of Irish sagas and Chechen religious chants. His compass is the Russian Orthodoxy sustaining the believers who share his fate.

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The uniqueness of the work, however, resides in the relationship of the "voice" of this Ishmael to the "chorus" of his shipmates—the common criminals whose boasts, ballads and curses counterpoint the musings of the solitary survivor. Max Hayward's introduction points up the obvious contrast between the vulgarisms of camp jargon which reflect the devaluation of language in the larger society and the poetic metaphors of the author.

Truly, by the third year, the "chorus" has reached a pitch of annoyance that makes the "voice" snap: "The lower a man's mental or educational level, the louder, the more strident he is in most cases." To create a private space in the teeming barracks, "automatically you lower a kind of invisible veil over your eyes and, with your vision blurred in this manner, you look but do not see." But those moments of exasperation are rare.

The more usual perspective combines the objectivity of an anthropologist recording exotic data with the mysticism of a seer for whom there are secrets in faces "etched by suffering." To his amazement, Sinyavsky learns that "Here people think and philosophize more intensely than in the world of scholarship and science. Ideas are not culled from books, but grow out of a man's very bones." This unsentimental education involves descriptions of the pornographic tattoos on the genitals of prisoners, their crude tales of sexual adventures and occasional glimpses of women "sitting like condors on their bunks, displaying themselves frankly, with an air of total abstraction."

Yet, even at its most animalistic, such behavior provokes the question, "What if sex is a diabolical way of reaching the gates of paradise?" The author sublimates his own sexuality, spending nearly the entire four hours of his wife's visit merely looking at her, then composing the biweekly letters on which this book is based. But he treasures the feeling of love which, like the stirrings of art and religion, promises the bliss of transcendence.

In certain "rare and unexpected encounters" with others the loss of individuality is transmuted into selflessness. Thus, a virtual stranger makes Sinyavsky a present of a ballpoint pen, another of the scraps of paper that are for him "what the forest is to a man on the run." Spiritually, the fellow inmates can, at their best, furnish models of the inner discipline that maintains their pride and faith; at their worst, they exhibit the kind of bluster that makes a new convert declare, "Oh yes, God exists all right. If anyone says there's no God I'll poke his eyes out."

Even the unregenerate thieves who extort tribute from the ordinary *moujiks* have their strict code of honor which sets them apart from the "bitches," the informers and toadies. Sinyavsky admits rendering his due for "protection." The thieves, too, have something to teach him by the unflinching manner in which they face death: a legendary criminal roasted over a fire by a pack of "bitches," nevertheless taunts them to the last. Further, by their recondite art the thieves become comrades in the world of imagination as well as pursuers of the elusive laurels of history.

As an intellectual outsider, Sinyavsky is fascinated by the earthy nature of this "chorus," though his ironic vision focuses on the warts of its members and checks the perennial Russian temptation to idealize the simple folk. In his con-


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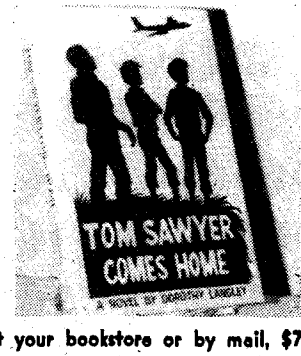


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templative moments, he muses, "Prophets appear among the lower classes, in out-of-the-way places and in any case not among the élite." But at night he also registers the taunts of prisoners who hear someone screaming in his sleep, "Dreaming of Yids?"—the sleeper having nightmares of the Jews, whom, as collaborator of the Nazis, he helped murder.

The "chorus" asserts, "The good thing about this place is that a man feels he is nothing but a naked soul." For Sinyavsky, stripping away unessentials leads to a Dostoevskian image of sin-ridden humanity on the brink of collective repentance: "A person in prison corresponds most closely of all to the concept of man. He is, so to speak, the most natural man—man in his pristine state." If this romantic characterization recalls us to the lost innocence of childhood, it does not deter the "snooping" observer from also recording the theft by a dying man in the camp hospital of another dying man's spectacles. The "chorus" can switch from affirmations of the communal conscience, as in a Greek tragedy, to the dampening effects of ritual chant, as in the Orthodox service where it is "a weak, murmuring accompaniment to what is being confessed and absolved."

The "voice" of the narrator shares with the "chorus" its anonymity, so that personal detail is kept to a minimum. One never learns, for example, about the physical horrors of camp life chronicled by Alexander Solzhenitsyn and Anatoly Marchenko. To some degree, this may be a function of the need to evade official censorship, though Sinyavsky, now literature professor at the University of Paris, was free to make emendations had he chosen to do so. The private quality of the "voice" reflects, rather, the compunctions that still make Sinyavsky, the literary critic, detach himself from Tertz, the novelist. This duality is captured by the transcript's description of him as "thin, short, with a reddish, unkempt beard, and wearing a snow-white nylon shirt under a black woolen sweater with a round collar. He looks like a gnome, or rather like a good-natured goblin." The effect is heightened by photos of him in gray prison garb hanging loosely on a frame shrunken by hunger, the mouth no longer smiling but the eyes narrowed in their intensity.

The protean powers of Sinyavsky's art have never been more striking. They range from Zen aphorisms ("I know why the crows have been cawing so much of late: they were feeling too black on this white snow") to offbeat interpretations of literary classics and paintings. Echoing T.S. Eliot, Sinyavsky could survey his intellectual salvage with the words, "These fragments I have shored against my ruins." His readings of *Hamlet* and *Oedipus* in terms of ineluctable fate undermining the illusion of free choice parallels the tension between the "voice" obsessed by destiny and the "chorus" by a belief in luck.

As the prison term draws to a close, the interruptions of the "chorus" abate and the reflective passages lengthen. Sinyavsky becomes more certain who he is: a personality incorporating his parents, wife and son, Pushkin and Gogol. . . . "A whole crowd. They all color my perception of reality, share my destiny and go with me wherever I am taken, constantly making themselves felt." Sinyavsky's choice of literary guides through his purgatory is consistent with his 1959 critique, "On Socialist Realism," of the aesthetics underlying Soviet art with a "Purpose." Instead of the official didacticism, he called there for a "phantasmagoric" art in the haunting style of Gogol and Dostoevsky, just as he argues here—armed with a new-found Christian faith—for fantasy to unlock the spiritual truths that plumb eternity.

The regimentation of contemporary life, Marina Tsvetaeva realized in her poem "Homesickness," drives the artist into perpetual exile, out of the house "that is no more mine than a hospital or barracks." "In the toilet of the Potma transit prison," his last stop before freedom, Sinyavsky fantasizes a message from this poet, whose return to Russia in 1939 led to her suicide. His own journey ends like that of Lazarus, "a dead man appearing at life's feast."

The legal victory of the regime that deprived Sinyavsky of freedom in a trial reversing the "thaw" of Khrushchev's toleration turns out to have been hollow, indeed. "When all is said and done," Sinyavsky found, "a camp gives the feeling of maximum freedom. (Perhaps only a closed prison gives it even more.)" Internal escape was possible by emulating the archpriest Avvakum, who had renewed his faith 300 years hence in an underground dungeon of earth and timber—an example that also inspires the "Old Believers" in the camps today. Finally, Sinyavsky's time of spiritual testing left him without an aftertaste of rancor:

> We constantly hover between life and death; feelings and actions are only half-realized. With fear and bated breath we wait: will something happen or not? Expectations or dreams fail to materialize. But once you are over the dividing line, plunged into a situation in which, however hopeless it may be, there is no turning back, no chance of escaping or trimming your sails, then the wholeness of existence that neither threatens further loss nor holds out hope of gain envelops you in a feeling of serene and trusting calm. □

# Countering the Wasteland

THE UNFINISHED ANIMAL: The Aquarian Frontier and the Evolution of Consciousness. *By Theodore Roszak. Harper & Row. 271 pp. $10.*

**RICHARD FALK**

A rising tide of doubt exists as to whether human society can beneficially persist on this planet without fundamental changes in prevailing forms of economic, political and social behavior. Those who adhere to this view regard the challenge posed as more important than anything else that is happening in the world. Those who don't, dismiss the alleged concern as an exaggeration that diverts energy from the real business of fostering growth, prosperity and security.

Among those who insist that fundamental adjustments are needed there exists a growing realization that official institutions are not likely to meet the challenge. Of course it is never likely that those who benefit most from a particular social and economic system will be receptive to pleas for its dismemberment. But more than this, political leaders gear their policies, and even orient their attention, to cycles of electoral accountability. Such cycles, never more than six years in duration, are not congenial to the sort of long-range perspective that underlies the argument that basic change has become a matter of civilizational necessity.

In a society drenched with the center-controlled imagery of mass media, any new vision must take shape on the fringes, among outsiders who have withdrawn their allegiance from the dominant culture. Whether such behavior is

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merely an exotic attribute of cultural diversity or the birth pains of a new culture only time will tell. What seems plain is that such a process has been going on in America, that its influence is spreading, and that all of us need to understand and evaluate it.

No one is better equipped than Theodore Roszak to help us with this momentous task of interpretation. In two previous widely read, carefully argued, and aptly researched books (*Making of a Counter Culture*; *Where the Wasteland Ends*), Roszak has set before us a devastating critique of advanced industrial civilization combined with the clear vision of an alternative culture that he sees taking shape at the fringes. In his latest book, *The Unfinished Animal*, Roszak develops further and even more persuasively his earlier concerns. He is less a designer of visions than a cultural journalist in the very highest sense, investigating crucial developments and placing them within an appropriate framework of tradition. In this way, Roszak enriches his commentary with scholarly research that depicts antecedents. He also creatively construes what is happening, especially in *The Unfinished Animal*, by detailed reliance on supportive scientific materials drawn especially from ongoing work on human evolution and psychotherapy.

Roszak's point of departure is an acceptance of a gloomy prognosis: "And who cannot already foresee the final act of this unhappy scenario? A global wasteland where only an ensconced bandit elite of corporate profiteers, commissars, and technocrats, together with their armed defenders and reliable clients, enjoy the dwindling riches of the Earth, while the impoverished billions starve without even clean air in which to breathe." Roszak's critique combines progressive societal values with an ecological and cultural orientation. Industrial civilization, whether capitalist or socialist in character, has allegedly reached the edge of an historical precipice. To go on as before is to insure disaster. Unlike such happy heralds of post-industrial civilization as Daniel Bell, Zbigniew Brzezinski, or Herman Kahn, Roszak is convinced that a technetronic sequel to the industrial age, whatever its form, will produce severe societal deformations and even endanger human survival. To go on is merely to wander further into the wasteland, which promises to become more treacherous with each additional step.

A drastic discontinuity will be required that goes to the root of things and reorients the culture by way of a new vision of human aspiration and identity. America, by a peculiar dialectic of history, finds itself in a crucial position to discover the path that leads beyond the wasteland. And Roszak finds the revolution that we are awaiting along what he identifies as "the Aquarian Frontier" ("the subtle landscape and open field of contemporary spiritual adventure"). According to him the cultural innovators on the Aquarian Frontier are out "to create a healthy ecology of the spirit," which presupposes a religious renewal based on a recovery of contact with the spiritual basis of human existence. Roszak believes that the bewildering multitude of experiments are based on a unifying impulse to recover the preindustrial grasp of profane and sacred as part of a single organic reality.

Roszak is no mere tourist gazing at the curiosities along the Aquarian Frontier; he is an expert guide who discriminates between the spurious and genuine. He is also no friend of spiritualism for its own sake and has harsh words for the commercialism of "the consciousness circuit" which could become "a lethal swamp of paranormal entertainments, facile therapeutic tricks, authoritarian guru trips, demonic subversions."

Roszak's excitement about what is genuine on the Aquarian Frontier arises from an underlying evolutionary image of the human species as malleable and adaptive, not in a Darwinian sense but in terms of an underlying human identity that presupposes a visionary justification for our mortal existence. He is talking about nothing less than an evolutionary mutation that he compares in scale at one point to the transition from amphibious to land life and at another to the emergence of speech in our protohuman ancestors. As Roszak puts his case, "only a new species may be able to negotiate the transition." To what? For Roszak "the great responsibility of our time" is "to work toward planetary synthesis," by which he means a global culture expressive of human solidarity, reverence for nature, and exhibiting "the higher sanity" of spiritual values.

In a famished, crowded world where nuclear weapons abound, Roszak has often been dismissed by traditional humanists and radicals as naive, escapist, trendy, as encouraging ideas irrelevant to the concerns of most people. He no doubt expects to be rejected by technocrats, power brokers, and their academic apologists because they are more or less defined as "the enemy" by their adherence to cultural forms that impoverish the prospects for human development. But the criticism from "the Left," from change-oriented, progressive sources, appears to hurt Roszak. He makes explicit his own commitment to social, economic and political justice, and his sympathy with those who work


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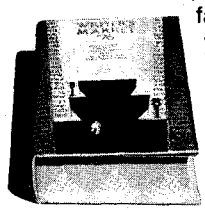

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only for such goals by challenging existing power structures, as well as his awareness of their criticisms of the happenings along the Aquarian Frontier. Roszak makes two lines of response. First, he believes that secular revolutionaries have a poor record of delivering on their promises and interprets this failure as a consequence of not carrying their revolutionary ideals into the realm of the spirit. Second, Roszak indicates his own preference for pacifist tactics and anarchist goals. In effect, he, like secular revolutionaries, believes deeply in the creation of a new politics that is based on fairness and justice, the alleviation of suffering, and the like, but he is convinced that such a quest is doomed unless it is rooted in spiritual soil. A secular revolution will not easily prevail, and even if and when it does, it will "easily turn murderous" and betray its own vision.

Roszak is attracted to new, radical forms of psychotherapy (politically progressive, spiritually receptive, flowing from Jung rather than Freud) as providing the best tools of analysis and language for describing the healing process of cultural renewal that he affirms. At bottom lies Roszak's belief that "the medicine of the body politic must deal with us as whole persons, or its best intentions will go awry." To achieve this goal, we need a therapeutic outlook that realizes "that we are religious beings down to our very core; that there is no wholeness, no sanity, for us until we make spiritual need even more fundamental than all the others." But at the same time Roszak is unsympathetic with those who deploy all their energies in the search for an inner transformation. He argues elaborately that the kind of cultural renewal he proposes implies that ethical concern for the well-being of others is given priority over the pursuit of personal salvation.

Varying Roszak's imagery slightly, I think his argument centers on the proposition that our only hope as a species is for a cultural revolution that renounces technocracy and materialism. Such a revolution must have an active spiritual content and will necessarily adopt a political posture favorable to the development of a genuine planetary community. This posture will naturally also support the scaling down of industrial and bureaucratic structures, the formation of communitarian socialist politics, and a renewed appreciation of human kinship with and dependence upon nature. As Roszak suggests in *Where the Wasteland Ends*, the prophet for his revolution is William Blake, not Karl Marx.

His argument is provocative and its assessment complex. I believe that Roszak is onto some cultural developments that are of vital significance. He points to the historical prospect of a planetary polity, whether demonic or otherwise, as virtually inevitable. And he locates clearly, it seems to me, the struggle for change in the deepest recesses of human consciousness. Furthermore, I find that such counter-cultural experiments as Lindisfarne Association, the New Alchemy Institute, and the Philadelphia Life Center offer an exciting range of adaptive possibilities provided they become dominant without being subverted in the process. And for this reason I believe that the creative political imagination of our time needs to be receptive to the counter-cultural tendencies. If nothing else, the best of the counter culture is a bearer of values essential for a new age.

Roszak writes at one point of "an insurrection of clowns and gurus" as "a revolution to match the needs of our time." While I cherish the imagery, I doubt that the clowns and gurus can ever do more than strike a spark. Or, more precisely, enrich, deepen, and clarify the quest for change as it is being enacted in various places on the planet. There is an urgency present, as well as a patience required. Evolutionary transitions of the sort Roszak envisages occur across time zones of centuries and millennia, yet the destructive consequences of poverty, population growth, and pollution, not to mention a variety of nuclear menaces, seem likely to have their decisive impact within a matter of decades.

For this reason we need some thoughts on transition to complement Roszak's emphasis on transformation. In this respect, the secular potentialities may be too sharply contrasted with innovation along the Aquarian Frontier. Among the few encouraging developments in the world are the early signs of a new transitional social movement based on shared values of peace, economic well-being, social justice, ecological balance and human solidarity. This movement is beginning to shape a consensus that challenges entrenched social and political forces. Such a movement finds its principal adherents among progressive intellectuals, who are decisive opinion makers in many parts of the non-Western world. Such a movement needs to make better contact with life along the Aquarian Frontier, but its principal realm of encounter is with organized forces of wealth and power in the world. Roszak is somewhat indefinite on these matters, and so one

## CARAVAN

*It is a hazy dream, this town,*
*the white walls, the minarets,*
*the twisting cobblestone alleys:*
*you see yourself in the small bazaars,*
*haggling with wrinkled men for silk and silver,*
*sipping glasses of hot mint tea*
*in the perfume of kif and saffron.*
*The amazing thing is, it is true:*
*once upon a time you are here*
*among faceless women in kaftans,*
*old men dry as sand,*
*boys with the fingers of forty thieves.*
*But the thing you did not expect*
*is the eyes; these eyes were not in the dream.*
*They peer at you over veils*
*and out of the gloom of the souq:*
*windows of the soul, they tell you*
*lust, envy, gluttony, greed,*
*and all the homely virtues;*
*and the eyes you will never forget*
*are the milky blind eyes of children,*
*the charcoal rage of the woman*
*who hates you because you were born,*
*and the brown pity of that one man*
*who helps you when you call out.*
*There is no magic carpet to take you*
*where these eyes no longer exist;*
*for a thousand and one black nights*
*you will wake to that staggering dream.*

Philip Appleman



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is left uncertain about how to reconcile the urgencies that counsel action now and the patience of generations needed for the rhythms of evolutionary mutation to have their impact. He could also be more explicit about the connections he finds between the Aquarian Frontier, largely an American phenomenon, and the overall planetary situation. What might those who seek a just and peaceful world polity do if they happen to live in Nairobi or Bombay rather than San Francisco? How does the rest of the world partake of the evolutionary process underway? How literally does Roszak believe that a cultural revolution of the sort needed must rest upon an evolutionary mutation?

In sum, it seems crucial to take Roszak's approach seriously at this time. In doing so, it may be worth pointing out that Roszak's central contention about fostering a reunion of sacred and profane is shared by such startlingly dissimilar modern figures as Sri Aurobindo, Pierre Teilhard de Chardin, Martin Buber, Doris Lessing and Kim Chi Ha. In addition, kindred voices of interpretation and advocacy in the United States include those of Richard Baker-roshi, Gregory Bateson and William Irwin Thompson. The Aquarian Frontier may be a uniquely American phenomenon of recent vintage, or mostly so, but the underlying insistence that societal fulfillment must not be separated from spiritual quest has both an ancient heritage and a planetary scope. □

# Common Speech & Complex Forms

HALFWAY DOWN THE COAST. *By Paul Blackburn. Mulch Press. 56 pp. $6. Paper $3.50.*

THE JOURNALS. *By Paul Blackburn. Edited by Robert Kelly. Black Sparrow Press. 155 pp. $14. Paper $4.*

**MICHAEL STEPHENS**

*Halfway Down the Coast* is a good place to begin reading the poetry of the late Paul Blackburn. It is also a good book to reacquaint oneself with this writer. If jacket copy is the place for good news, then it certainly is welcome to read that "Paul Blackburn had published some fourteen books of poems and translation. Yet those books represented perhaps not even half of his existing work." This verdant coast, then, is a poetic terrain, like Apollinaire's coast between Mobile and Galveston. It is coastal also in the sense that the reader can get "next to" the poems quite easily. Once there, the vistas are magnificent, not dwarfing, not overly refined, not rarefied though certainly heady like mountain air. They are also healthy, in the manner of Henry Miller, full of life, and, as Blackburn used to call it, *duende*, though if he were alive today, still living downtown on the East Side, he might just call it—*salsa*! These are poems of life without apology, without posturing (the uninitiated might find Blackburn's stance too hip, though), and from the opening poem, "The Surrogate," driven by an intelligent whimsy:

*She stole ma hat*
*ma hat . was in the lounge*
*with ma jacket*
*The jacket she dint take it, but*
*ma hat, she tukkit,*
*clean*
*outa the place*

to the more philosophical ending of the last poem, "Backsweep/Black":

*Time*
*gone now*
*and again*
*recurs*

Blackburn's snapshots go nicely with his shorter, imagistic poems—the singular observations *in place*. The Matisse drawings on the covers are appropriate since both artists were capable of a sustained lyricism throughout their respective careers. The poet also shares this gift of stamina and pacing with one of his poetic influences, William Carlos Williams. It is his own best tribute that Blackburn was able to maintain a high emotional shape throughout his career, giving an overall form from earliest volumes to the present. Quite probably the forthcoming posthumous volumes will continue this energized, overall shape.

This shape is certainly one of the most deceptive in modern poetry, because Blackburn was able to appear effortless while working in complex forms. (He used more idioms and tropes than any nonacademic poet of his time.) He was a consummate translator of *El Cid*, Provençal troubadours (whose verses were more varied than any in Europe); he knew French, knew Ezra Pound, Spanish, Black Mountaineers, New York poets, and just plain folk who enjoyed, like Blackburn, booze, beer, cigarettes and conversation. This practical communism, added to his poetic ease, might explain, partially, Blackburn's odd position in poetry today. Many unaware writers and critics failed to discern the complex forms, the sly intelligence, and reserved elegance of that lyrical gift. Put another way, Blackburn was as socially and literarily accessible as lesser poets, and yet he was cut from the fabric of genius.

One facet of Blackburn's poetic gift had to do with his ability to listen to the overheard cadences of common speech. He was obviously a man of great conversation (mere storytellers never listen, are only capable of monologues), and he made himself available to all young writers, regardless of their credentials. He could be found in McSorley's Old Ale House (above which he lived) or running the open reading (anyone with poems was granted five minutes of audience and reading time) at Saint Mark's Church in The Bowery. He was not put-downish (it shows in the writing) and his generosity to young talent was almost a pillage of his own time and energy. But he seemed to love people, and in some lapsed Roman Catholic way, he enjoyed giving of himself. In turn, he received stories, spoken images, vignettes, exaggerations, blarney and, like James Joyce after a night of drinking with the proles, Blackburn got out his notebook, wrote it down, typed it up, immortalized obscure men and women, and gave dignity to common man's articulations.

When his poetry is rolling it has the gentle flow of natural speech:

*what softness we run toward*
*and the rock of wool pulled short the*
*mountains stand*
*under the forks of rivers*


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*Michael Stephens is the author of* Season at Coole *and* Paragraphs.



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*The bowman lays it out and keeps us down*
*no names*
*that give us not our death,*
*O swift current, O buffalo.*

The poem was written for the ear to enjoy, and yet it holds in its simple lyrical form a manifold content. In the preceding quote from "Baggs," there is enough allusion to satisfy a Chinese and Pound scholar ("Song of the Bowmen of Shu"); a Jesuit scholar ("give us not our death"); and an American Indian scholar ("O buffalo").

The dying Blackburn is no different than the vital one, which is to say that he is always able to outflank lesser poets. He comes rushing out with rage and humor in the manner of W. B. Yeats in old age.

*Listen, Death*
*Beth, see, it's*
*not so bad . . .*

Or the poem, "As It Ends":

*I want you all to know*
*I love you very much.*

*O, shut up, you are a dead man,*
*for Christ's sake!*

But the possibility of death in *Halfway Down the Coast* becomes the reality of dying in *The Journals*. This latter book is a poetry and prose chronicle from 1967, when the poet was lively, to 1971, when he died of cancer in Cortland, N.Y. As the book progresses, the idea of death is superseded by the daily elements of physical decline and the actuality of dying. This book is remarkable for many reasons, among which are the maturity of Blackburn's poetry and poetics, the energy and intelligence of the writing, and the human courage informing every utterance. *The Journals* presents consummate Blackburn. The book culls deep intelligence, vast energy which refuses to wane with cancer, experience, and boldface originality. As the book presents new hope for poetry, it simultaneously breaks new ground for prose. Novelists of the future should read this work.

Blackburn was a poet at ease in all languages and places, and his unique application of macaronics, at times, surpasses that of his mentor, Ezra Pound. As native son to language, Blackburn readily uses Spanish and French within an English text, and *The Journals* even contains an entire poem, "Rue de Lois," written in colloquial French. Other poems go in and out, polyglot-wise, with references to the Provençal, to travelogues across America, to places in Spain, Italy and southern France. So toward the end of the book, Cortland, N.Y. turns quite naturally into the Mediterranean [April Journal 1971, April 19: the Southern Tier]. Blackburn's polylinguistics also bring out, usually after a few Fundadors, mega-language puns:

*burger joints, a movie, & even a gas station, ES-*
*SO es . y no es . si-saw . So.*
*Off they go, back to Memphis,*

*tank full of gas and a*
*pocketful of rye.*

[November Journal 1967]

And yet the most startling aspect of this book is not its poetic applications but rather the human emotion, the steady lyrical progression from full life to carcinoma. The initial entries cover Europe and most of the United States. There are meetings with Ezra Pound ("old eagle"), Julio Cortazar, friends in France and Spain. One entry is about the death of an old Spanish waiter. Another entry is about visiting Robert Kelly (who should be thanked for the fine editing of this volume) where Blackburn's wife receives a phone call about the death of her father. As other deaths slowly surround the poet, he comes to realize that he is terminally ill.

Blackburn was always a poet of cities, thus the title of his only commercial volume, *The Cities*, but the slow wasting must have been costly on his energies, and the last years of his life were spent teaching in Cortland, a central New York farm town with a state university. Instead of indulging cancer dreams, Blackburn deals with his growing pain as though it were a toothache or what he calls a pain in the shoulder. Whereas the earlier sections of this book were unique in form, the latter sections are *sui generis* for form wedded to passionate content.

*Cities and towns I have to give up this year*
*on account of my cancer: Amsterdam, Paris, Apt, Saignon and Aix (Toulouse I'll never lose), Perpignan and Dax,*
*Barcelona and south*
*(or the other way,*
*Catania . I warn ya)*
*The hell, I read a review of a reading in January.*
*They loved me in Shippensburg, Pennsylvania.*

[17. IV. 71]

They may love Blackburn in Shippensburg, but by May 1971, "The Blue Mountain Entries," the dying poet writes a touching sonnet about the excuses everyone has for not making his reading. To complicate his frustrations, he forgets to buy batteries for his cassette recorder. (Paul Blackburn was an habitual archivist for poetry readings and he left behind him one of the most varied and authentic libraries of recorded poetry.) The disappointment, given his condition and that unusual devotion for being the custodian for spoken words, must have been immeasurable. Still, he ends the sonnet with this wry statement, "It's a good reading."

The June entries contain references to his lack of strength and loss of weight. In mid-month his physical energies collapse, and he is unable to build a fence in his back yard. Nevertheless, a superhuman mental vigor accompanies the physical deterioration; the energetic intelligence is still groping for forms, the overheard sense of beauty in spoken language is not lost. The self-effacing hip posture, the love of drink and poetry, do not leave the poet. The last entry is dated July 28, 1971, about six weeks before his death. This remarkably creative man dies, without once being maudlin or lugubrious. Never a man to pass up a humorous, deadpan, tragicomic line, Blackburn ends the journal: "Bigod, I must have been full of shit." □


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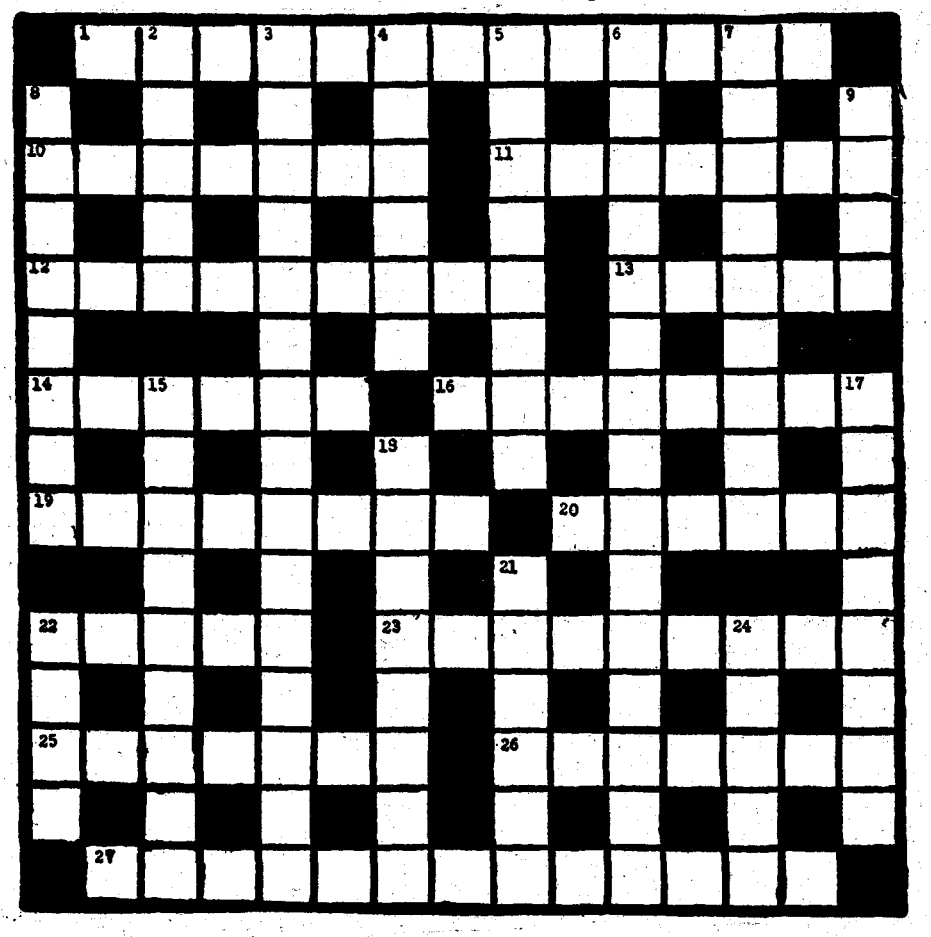
# Crossword Puzzle No. 1644

**FRANK W. LEWIS**



## ACROSS

1 It's true, a fancy production has to go up before you can see the act. (6,7)
10 Such dancers barely qualify—the upper half of them. (7)
11 City of romance and, ostensibly, violin music. (7)
12 No speed qualification implied, however, (2,3,4)
13 and 23 It might be difficult to take aim with one, but that's just a guess. (1,4,2, 3,4)
14 Does one have to live with a vixen? (3-3)
16 A day abroad in part of the family's visits. (8)
19 The contorted faces of forbidding wartime figures. (8)
20 She held a high place with a couple of articles around at that time. (6)
22 How rugs might be stacked. (5)
23 See 13 across
25 Something like a sneaker, or one who popularly might follow that sort. (7)
26 Reputedly apple pie-ish. (2,5)
27 "Get up!" for example? Or just the ranked positions? (One might leave it for milk.) (8,5)

## DOWN

2 The initial character of 20's people. (5)
3 All present, and 20 without 2, occasionally. (5,3,3,4)
4 A very agreeable gentleman, it seems. (3-3)
5 Was his a famous literary house, however humble? (5,3)
6 Not necessarily Father Time, but a favorite Johnny-on-the-spot. (3,3,2,3,4)
7 Press hack, possibly, with a word for an early track follower. (4,5)
8 No one seems to own one god. (5,3)
9 Obviously not a complete stage performance. (4)
15 With a seabird around one, turn the volume up—it's another seabird. (9)
17 Sails that certainly don't spoil the child. (8)
18 Rising anger following a sort of bribe is indicative of deficiency. (8)
21 A lot of horses might end up in a tie. (6)
22 Part of the paper to call someone by name. (4)
24 How to confuse a minister with the French? (5)

## SOLUUTION TO PUZZLE NO. 1643

ACROSS: 8 Confuse the issue; 9 Charge; 10 Traverse; 11 Wets; 13 Turns aside; 15 Asperse; 16 Gobelin; 19 Down and out; 21 Putt; 22 Asserted; 24 Revere; 26 Keep off the grass. DOWN: 1 Loch Ness Monster; 2 Afar; 3 Asbestos; 4 Stature; 5 Cedars; 6 Isle; 7 Outside interest; 12 Stern; 14 Steep; 17 On target; 18 Cordite; 20 Notify; 23 Espy; 25 Very.

Readers are invited to send for a free copy of Mr. Lewis's "ground rules." Address Puzzle Department, *The Nation*, 333 Sixth Avenue, New York, N.Y. 10014.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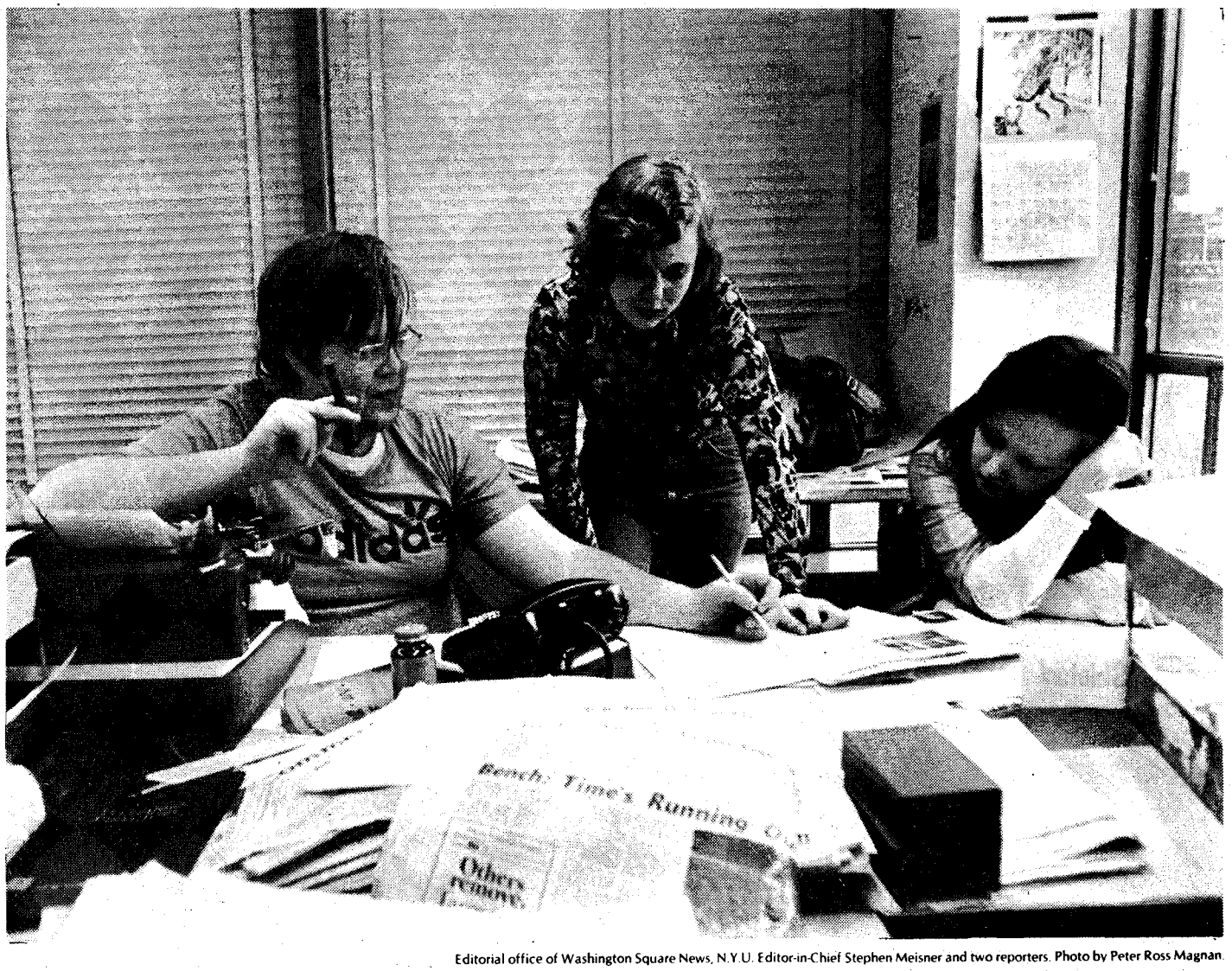


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